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ACTS
OF THE
PARLIAMENT
OF THE
DOMINION OF CANADA

PASSED IN THE SESSION HELD IN THE
SECOND YEAR OF THE REIGN OF HIS MAJESTY
KING GEORGE V.

BEING THE
FIRST SESSION OF THE TWELFTH PARLIAMENT

*Begun and holden at Ottawa, on the Sixteenth day of November, 1911
and closed by Prorogation on the First day of April, 1912*



HIS ROYAL HIGHNESS
THE DUKE OF CONNAUGHT AND STRATHEARN
GOVERNOR GENERAL

VOL. II.
LOCAL AND PRIVATE ACTS

OTTAWA
PRINTED BY CHARLES HENRY PARMELEE
LAW PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
ANNO DOMINI 1912



2 GEORGE V.

CHAP. 58.

An Act for the relief of William Holloway Adams.

[Assented to 1st April, 1912.]

WHEREAS William Holloway Adams, of the city of Preamble.
Edmonton, in the province of Alberta, has by his
petition alleged, in effect, that on the eighteenth day of
September, A.D. 1900, in the parish of Cheltenham, in
the county of Gloucester, in England, he was lawfully married
to Clara Emily Babê Woodward, a spinster; that his legal
domicile was then in England and is now in Canada; that at
Strathcona, in the province of Alberta, from about the month
of August, 1908, until the thirty-first day of March, 1910,
on divers occasions, and particularly upon the thirty-first
day of March, 1910, she committed adultery with one
George Lucas; that the said William Holloway Adams
has not connived at nor condoned the said adultery;
that there has been no collusion directly or indirectly,
between him and her in the proceedings for divorce;
and whereas by his petition he has prayed for the passing
of an Act dissolving his said marriage, authorizing him
to marry again, and affording him such other relief as
is deemed meet; and whereas the said allegations have
been proved, and it is expedient that the prayer of his
petition be granted: Therefore His Majesty, by and with
the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. The said marriage between William Holloway Adams and Clara Emily Babê Woodward, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said William Holloway Adams may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Clara Emily Babê Woodward had not been solemnized.

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2 GEORGE V.

CHAP. 59.

An Act respecting Alabama Traction, Light and Power Company, Limited.

[Assented to 1st April, 1912.]

WHEREAS Alabama Traction, Light and Power Company, Limited, hereinafter called "the Company," has by its petition represented that it is incorporated by Letters Patent issued under *The Companies Act*, chapter 79 of The Revised Statutes, 1906, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

Canada
Gazette,
March 2nd,
1912.

1. Subject to the laws in force in the United States of America, and with such legislative, governmental, municipal and other authority, concession, license or consent as is necessary, the Company may, within the United States of America, survey, lay out, construct, complete, equip, maintain and operate, and extend, remove, and change as required, double or single iron or steel railways and branches, side tracks, turnouts and appurtenances, and tramways for the passage of cars, carriages, and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit, and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight

Powers of
Company in
U. S. A.

Railways.

Tramways.

Telegraphs.

Telephones.

Carrier.

Acquisition
of properties
of other
companies.

freight, upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and operate for reward, any existing or future lines of railway, tramway, telegraph or telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Issue of share
warrants.

2. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of
share
warrants.

3. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender
and
cancellation
entitle to
entry as
shareholder.

Liability of
Company for
entry without
cancellation.

4. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided however that such cancellation and entry of name as a shareholder shall be made within sixty days.

To what
extent
bearer is
shareholder.

Warrant will
not qualify
bearer as
director.

5. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent or for such purposes as are prescribed by the directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Particulars to
be entered in
register.

6. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

(a) the fact of the issue of the warrant;

(b) a statement of the share, or shares, included in the warrant;

(c) the date of the issue of the warrant; and until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required, by sections 89 and 90 of *The Companies Act*, to be entered in the books of the Company, in respect of such share or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

Date of
surrender to
be entered.

7. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant or coupon may be issued in place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force whether made before or after the issue of such warrant.

Directors
may vary
conditions
of issue.

8. The Company may guarantee the payment of the principal and interest, or part thereof, of bonds or other securities of any corporation the majority of whose capital stock is held or controlled by the Company; such guarantee may be signed by the officer duly authorized in that behalf and may be in the form set out in the schedule to this Act, or to the like effect, and the Company shall be liable to the holder from time to time of the bond or other security so guaranteed in accordance with the terms of such guarantee.

Company
may guar-
antee
securities of
other
corporations
controlled by
it.

SCHEDULE.

Payment of the principal and interest (*or as the case may be*) of the within bond (*or as the case may be*) in accordance with the tenor thereof (*or as the case may be*) is hereby guaranteed by Alabama Traction, Light and Power Company, Limited, (*here may be set out any special terms or conditions of the guarantee*).

For Alabama Traction Light and Power Company, Limited.

President (*or other officer duly authorized*).



2 GEORGE V.

CHAP. 60.

An Act respecting the Alberta Electric Railway Company, and to change its name to "The Alberta Interurban Railway Company."

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore 1911, c. 31.
His Majesty, by and with the advice and consent of the Senate and the House of Commons of Canada, enacts as follows:—

1. The name of the Alberta Electric Railway Company, hereinafter called "the Company," is changed to "The Alberta Interurban Railway Company," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed. Change of name. Saving of rights.

2. The provisional directors, for the purpose of commencing the construction of any one of the sections of their railway as defined by section 7 of chapter 31 of the statutes of 1911, so soon as twenty-five per cent of shares to the extent of ten thousand dollars per mile of the mileage of the said section first proposed to be constructed has been subscribed and ten per cent paid thereon into one of the chartered banks of Canada, may call a meeting of the subscribers Meeting of subscribers for organization.

subscribers and may organize the Company in the manner provided by *The Railway Act*.

Subscription
before com-
mencing con-
struction.

2. Before commencing the construction of each of the other sections of the said railway, as defined by the said section 7, twenty-five per cent of shares to the extent of ten thousand dollars per mile of the mileage of each of the said sections respectively shall be subscribed and ten per cent paid thereon as aforesaid in respect of the particular section proposed to be constructed from time to time.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to the King's
most Excellent Majesty.



2 GEORGE V.

CHAP. 61.

An Act respecting the Alberta, Peace River and Eastern Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is ex- 1910, c. 64.
pedient to grant the prayer of the said petition: There-
fore His Majesty, by and with the advice and consent of
the Senate and House of Commons of Canada, enacts as
follows:—

1. The Alberta, Peace River and Eastern Railway Com- Extension of
time for
construction.
pany may, within two years after the passing of this Act,
commence the construction of its railway and expend fifteen
per cent of the amount of its capital stock thereon, and may,
within five years after the passing of this Act, complete the
said railway and put it in operation; and if, within the said
periods respectively, the said railway is not commenced
and such expenditure is not so made, or the said railway is
not completed and put in operation, the powers of construc-
tion conferred upon the said Company by Parliament shall
cease and be null and void as respects so much of the said
railway as then remains uncompleted.

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most Excellent Majesty.



2 GEORGE V.

CHAP. 62.

An Act respecting the Alberta Railway and Irrigation Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1900, c. 79;
1903, c. 187;
1904, c. 43;
1905, c. 52;
1906, c. 53;
1911, c. 32.

1. The limit to the amount of the securities which the Alberta Railway and Irrigation Company, hereinafter called "the Company," may issue and secure under sections 136 to 146, both inclusive, of *The Railway Act*, with respect to the lines of railway which the Company has been authorized to construct, shall be thirty thousand dollars per mile, and such securities may be issued only in proportion to the length of such lines of railway constructed or under contract to be constructed: Provided that no powers granted under this Act shall be exercised so as to impair or prejudice any vested rights of the holders of the Company's securities outstanding at the date of the passing of this Act.

Issue of securities for purposes of railway.

Proviso.

2. The Company may use the proceeds of any of the securities authorized by this Act in acquiring or redeeming, pro tanto, any of the now outstanding mandatory securities of the Company.

Use of proceeds.

3. When all mandatory securities of the Company now outstanding have been acquired or redeemed by the Company, or by the Canadian Pacific Railway Company, the present lessees of the Company's railways, (who are hereby authorized, as such lessees, to acquire or redeem such securities,

When securities are first preferential claim on railways.

securities, or any part thereof), the securities by this Act authorized shall, subject to the provisions of section 141 of *The Railway Act*, be taken and considered to be the first preferential claim and charge upon the Company's railways, and the franchise, undertaking, tolls and income, rents and revenues, and the real and personal property thereof at any time acquired, save and except the assets, property, rents and revenue of the Company which may be excepted under section 139 of *The Railway Act*, according to the terms of any mortgage which may be given by the Company to secure such securities.

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2 GEORGE V.

CHAP. 63.

An Act respecting the Algoma Eastern Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1900, c. 64;
1901, c. 74;
1902, c. 72;
1903, c. 148;
1905, c. 120;
1907, c. 106;
1910, c. 122;
1911, c. 111.

1. The time limited for commencing that part of the railway of the Algoma Eastern Railway Company described in sections 1 and 2 of chapter 148 of the statutes of 1903, as amended by section 1 of chapter 106 of the statutes of 1907, and that part of the said company's railway described in section 7 of chapter 64 of the statutes of 1900, (except those portions of the said company's railway lying between Sudbury and Little Current and between Meaford and Owen Sound respectively), is extended for two years from the passing of this Act, and the time limited for completing the said parts of the said company's railway is extended for five years from the passing of this Act; and if the said parts of the said railway are not so commenced; or are not so completed and put in operation within the said periods respectively, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Extension
of time for
construction
of portion of
railway.

2. That part of the said railway described in section 7 of chapter 64 of the statutes of 1900 which lies between Meaford

Extension
of time for
construction
of Meaford

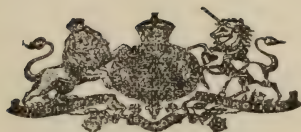
and Owen
Sound
branch.

Meaford and Owen Sound may be commenced within two years after the passing of this Act, but if the construction of the said part of the said railway is not so commenced and one hundred and fifty thousand dollars is not expended thereon within the said two years and if the said part of the said railway is not so completed and put in operation within three years after the passing of this Act, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said part of the said railway as then remains uncompleted.

1910, c. 122
amended.

3. Sections 1, 2 and 3 of chapter 122 of the statutes of 1910 are repealed.

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most Excellent Majesty.



2 GEORGE V.

CHAP. 64.

An Act respecting the Architectural Institute of Canada, and to change its name to "The Royal Architectural Institute of Canada."

[Assented to 1st April, 1912.]

WHEREAS the Architectural Institute of Canada, hereinafter called "the Institute," was incorporated by chapter 82 of the statutes of 1908; and whereas, by special permission of His Excellency the Governor General, dated the second day of June, one thousand nine hundred and nine, his late Majesty, King Edward VII, was graciously pleased to grant permission to the Institute to adopt the prefix "Royal"; and whereas the Institute has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1908, c. 32.

1. Section 1 of chapter 82 of the statutes of 1908 is amended by inserting the word "Royal" between the words "The" and "Architectural" and between the words "L'Institut" and "d'Architecture" in the two last lines thereof.

S. 1 amended.
Name changed.

2. Section 4 of the said Act is repealed, and the following is substituted therefor:—

New s. 4.

4. The following persons only, in addition to those who are already members of the Institute, shall be members thereof, namely, the members of the provincial architectural associations throughout Canada recognized by the Institute."

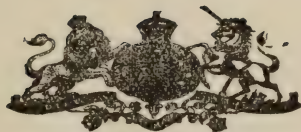
Admission of members.

S. 5 amended. **3.** Subsection 2 of section 5 of the said Act is repealed.

New s. 6. **4.** Section 6 of the said Act is repealed, and the following is substituted therefor:—

Council. **“6.** The Council of the Institute shall be composed of members of recognized provincial associations. Associations of forty members or less shall each be entitled to appoint two members to the Council. Associations of over forty members shall each be entitled to appoint one member of the Council for each additional forty members, or fraction thereof. The Council shall elect the officers of the Institute.”

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2 GEORGE V.

CHAP. 65.

An Act respecting Barcelona Traction Light and Power Company, Limited.

[Assented to 12th March, 1912.]

WHEREAS Barcelona Traction Light and Power Company, Limited, has by its petition represented that it is incorporated under *The Companies Act*, chapter 79 of the Revised Statutes, 1906, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

Canada
Gazette,
September
16th and
December
9th, 1911.

1. Subject to the laws in force in the Kingdom of Spain and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the Kingdom of Spain, survey, lay out, construct, complete, equip, maintain, and operate, and extend, remove, and change as required, double or single iron or steel railways and branches, side tracks, turnouts, and appurtenances and tramways for the passage of cars, carriages and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit, and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any of them; and also may

Powers of
Company
in Spain.

Railways.

Tramways.

Telegraphs.

Telephones.

Carriers.

Acquisition
of properties
of other
companies.

there acquire, by purchase lease or otherwise, upon such terms and conditions as are agreed upon, and operate, for reward, any existing or future lines of railway, tramway, telegraph or telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Issue of
share
warrants.

2. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of
share
warrants.

3. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender
and can-
cellation
entitle to
entry as
shareholder.

4. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided however that such cancellation and entry of name as a shareholder shall be made within sixty days.

To what
extent
bearer is
shareholder.

5. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent, or for such purposes as is prescribed by the directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Warrant will
not qualify
bearer as
director.

Particulars
to be entered
in register.

6. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars:—

(a) the fact of the issue of the warrant;

(b) a statement of the share, or shares, included in the warrant;

(c) the date of the issue of the warrant;

and, until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required,

by sections 89 and 90 of *The Companies Act*, to be entered in the books of the Company in respect of such share, or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder. Date of surrender to be entered.

7. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant, or coupon, may be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant. Directors may vary conditions of issue.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 66.

An Act to change the Name of Ezra Butler Eddy Bessey.

[Assented to 12th March, 1912.]

WHEREAS Ezra Butler Eddy, late of the city of Hull Preamble.
in the province of Quebec, manufacturer, departed
this life on the tenth day of February, A.D. 1906, leaving
a last will and testament bearing date the sixth day of
April, A.D. 1903, probate whereof was granted by a judge
of the Superior Court of the province of Quebec on the
sixteenth day of February, A.D. 1906: and whereas by
the terms of the said will a bequest was made to Ezra
Butler Eddy Bessey, a grandson of the testator, on condi-
tion that he should within two years of attaining his majority
adopt the name of Ezra Butler Eddy, in substitution for
his name Ezra Butler Eddy Bessey; and whereas the said
Ezra Butler Eddy Bessey attained his majority on or about
the tenth day of February, A.D. 1911; and whereas he
has by petition prayed that it be enacted as hereafter set
forth, and it is expedient to grant the prayer of the said
petition: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of
Canada, enacts as follows:—

1. The name of the said Ezra Butler Eddy Bessey shall
hereafter be Ezra Butler Eddy. Change of
name.

2. The change of name effected by section 1 of this Act
shall not in any way impair, alter or affect any right, obli-
gation or liability of the said Ezra Butler Eddy Bessey,
save only so far as the same are concerned in the will of the
late Ezra Butler Eddy, mentioned in the preamble of this
Act, Rights
saved.

Act, nor in anywise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the said Ezra Butler Eddy Bessey, which, notwithstanding such change in his name, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to the King's
most Excellent Majesty.



2 GEORGE V.

CHAP. 67.

An Act to incorporate the British-American Trust Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be Preamble.
enacted as hereinafter set forth, and it is expedient to
grant the prayer of the said petition: Therefore His Majesty,
by and with the advice and consent of the Senate and House
of Commons of Canada, enacts as follows:—

1. Robert Richardson Muir, merchant, Edward Bor- Incorporation.
den Reese, electrical engineer, David Low Mather, gentle-
man, Arthur Edward Muir, merchant, and William Redford
Mulock, King's counsel, all of the city of Winnipeg in the
province of Manitoba, together with such other persons as
become shareholders in the Company, are hereby incor-
porated under the name of "The British-American Trust Corporate
Company," hereinafter called "the Company." name.

2. The persons named in section 1 of this Act shall be Provisional
the provisional directors of the Company, a majority of directors.
whom shall be a quorum for the transaction of business; and
they may forthwith open stock books, procure subscriptions
of stock for the undertaking, make calls upon stock sub-
scribed and receive payments thereon, and shall deposit in
a chartered bank in Canada all moneys received by them on
account of the stock so subscribed for, or otherwise received
by them on account of the Company, and may withdraw
the same for the purposes of the Company only; and may
do generally what is necessary to organize the Company.

Capital stock. **3.** The capital stock of the Company shall be five million dollars, divided into fifty thousand shares of one hundred dollars each.

Head office. **4.** The head office of the Company shall be at the city of Winnipeg in the province of Manitoba, and the directors may from time to time establish branch offices and local advisory boards at such other places in Canada or elsewhere as they determine.

Branch offices.

Commence-ment of business. **5.** The Company shall not commence business until at least two hundred and fifty thousand dollars of stock have been bona fide subscribed and one hundred thousand dollars paid thereon in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act.

Directors. **6.** The affairs of the Company shall be managed by a board of not less than seven nor more than twenty-one directors, a majority of whom shall be a quorum. At least five, and at no time less than two-thirds of such directors, shall be residents of the province of Manitoba.

Qualifica-tions. 2. No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares upon which all calls due have been paid; and if any director makes an assignment for the benefit of the creditors, or comes within the operation of any insolvent law then in force or ceases to hold twenty shares in his own right, he shall *ipso facto* cease to be a director, and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Resolution signed by all directors. 3. The Company may, by by-law, provide that a resolution in writing signed by all the directors shall be valid as if it had been passed at a meeting of the directors.

Calls on stock. **7.** Calls on stock may be made by the directors at such times and in such proportions as they deem proper, but no call shall exceed ten per cent, and no call shall be made at a less interval than four months from the last preceding call.

Business. **8.** The Company may—

Trust money. (a) receive money in trust for the purposes herein specified, and invest and accumulate it at such lawful rates of interest as can be obtained therefor;

Trustee. (b) accept and execute all such trusts of every description and nature as are entrusted to it by any government or person, or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, administrator, trustee, accountant, arbitrator, adjustor, auditor, receiver, assignee, liquidator, sequestrator, official guardian, guardian, curator or commit-tee

tee of a lunatic, and perform the duties of such offices or trusts as fully and completely as any person so appointed could do; receive and manage any sinking fund on such terms as may be agreed upon; take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established or agreed upon; accept from, and execute trusts for, married women in respect of their separate property, real or personal, and act as agent for them in the management of such separate property; guarantee repayment of the principal or payment of the interest, or both, of any moneys entrusted to the Company for investment, on such terms and conditions as are agreed upon; act as agent for countersigning, registering, or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to issue and make the said issue, and hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government or corporate body;

(c) act as agent or attorney for winding-up estates, Agent.
receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

(d) be the custodian, on such terms as are agreed upon, Custodian.
of any jewellery, plate and other valuable property, and of deeds, wills, debentures and other evidence of title or indebtedness;

(e) act as investing and managing agent of estates and properties for and on behalf of executors, administrators and trustees or other persons; Management of estates.

(f) receive and collect such remuneration for its services as is agreed upon or as fixed from time to time or allowed by law, and all usual and customary charges, costs and expenses; Remuneration.

(g) receive moneys in trust for investment and allow interest thereon for a reasonable time until invested, and advance moneys to protect any estate, trust or property entrusted to it as aforesaid, and charge lawful interest upon any such advances: Provided that nothing herein shall be held either to restrict or to extend the powers of the Company as trustee or agent under the terms of any trust or agency that may be conferred upon it; Investments.

(h) take securities of such nature as are deemed expedient for any moneys owing to the Company; Securities for debts.

(i) obtain from any government any rights, privileges and concessions which the Company thinks it desirable to obtain, and carry out, exercise and comply with any such governments.

such rights, privileges and concessions, not inconsistent with the provisions of this Act or of any other Act of the Parliament of Canada;

Holding of
real estate.

(j) hold such real estate as is necessary for the transaction of its business, not exceeding the value of one million dollars, and any further real estate of whatever value which, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and from time to time sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Power to
act when
appointed
by court, etc.

9. In all cases where application is made to any court, judge, officer, or person having authority to make an appointment to any office or trust, the Company, with its consent, may be appointed to hold such office or trust, with the substitution, if necessary, for any obligations required from any private person appointed to such office or trust, of such obligations as are applicable to corporations, and with such remuneration as may be fixed; and in respect of any such appointment by any such court or judge, the Company shall be subject at all times to the orders, judgments and decrees thereof, and shall render such verified statements, accounts and receipts as may be required by law or shall be ordered with reference thereto.

Remunera-
tion.

Subjection
to orders.
Statements.

Investment
of trust
moneys.

10. The Company shall invest trust moneys as follows, and may manage, sell or dispose of such investments as the terms of the trust requires:—

Mortgages
of real
estate.

(a) upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral security thereto: Provided however that investments in any country other than Canada shall be limited to moneys received from such country;

Stock and
securities.

(b) in the stock, funds or government securities of Canada or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds or debentures of any school district in any such province, or in the public stock, funds or government securities of the United

Kingdom or of any of the colonies or dependencies thereof;

(c) in such securities as are authorized by the terms of the trust; Securities specified by trust.

(d) trust funds belonging to any estate or trust which is being administered in any province, may be invested in securities in which trustees are authorized by the laws of such province to invest trust moneys. Authorized by provincial laws.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed unless the will, deed, order, or instrument creating the trust, provides otherwise. Existing securities.

11. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith: Provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money, in the manner provided by section 10 of this Act, in a general trust fund of the Company: Provided always that the total amount of money of any one trust invested in the said general trust fund shall not at any time exceed three thousand dollars. Trust funds to be kept separate.

12. The Company may invest any money forming part of its own capital or reserve or accumulated profit thereon in any of the securities mentioned in section 10 of this Act, or on the security of real estate in Canada, or any interest in such real estate, or on the security of the debentures, bonds, stock and other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province, as the directors deem expedient. Investment of moneys of Company.

13. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such Accounts to be rendered by Company when made trustee by court, court.

Investiga-
tions.

court, judge, officer or person may, from time to time, require the Company to render an account of its administration of the particular trust or office to which it has been appointed, and may from time to time appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held, and such person shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or officer thereof.

Application
of R.S., c. 79.

14. Part II. of *The Companies Act*, except sections 125, 141, and 165 thereof, shall apply to the Company.

Acquisition of
business, etc.,
of other
companies.

15. The Company may acquire the whole or any part of the business, rights and property of any other company or companies within the legislative power of the Parliament of Canada, or of any of the provinces thereof, carrying on any business which the Company is authorized to carry on, conditional upon the assumption by the Company of the duties, obligations and liabilities of every such company with respect to the business, rights and property so acquired which are not performed or discharged by such company: Provided that no agreement for such acquisition shall take effect until it has been submitted to and approved by the Treasury Board.

Note issue
prohibited.

Banking
and
insurance
prohibited.

16. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer or any promissory note intended to be circulated as money or as the note of a bank, or to engage in the business of banking or of insurance.

Annual
statement
to Minister
of Finance.

17. The Company shall prepare, and annually transmit to the Minister of Finance a statement in duplicate, verified by the oath of the president or vice-president, and of the manager or secretary, setting forth the capital stock of the Company, the portion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statement shall be made up to the thirty-first day of December in each year.

Penalty
for neglect.

2. If the Company, for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty.

18. The powers granted by this Act shall expire, and this Act shall cease to be in force, for all purposes except for the winding up of the Company, at the end of two years from the passing thereof, unless the Company goes into actual operation within such two years.

Forfeiture of charter by non-user.

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2 GEORGE V.

CHAP. 68.

An Act respecting the British Colonial Fire Insurance Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore 1909, c. 52.
His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Chapter 52 of the statutes of 1909, incorporating Charter continued in force.
the British Colonial Fire Insurance Company, shall, notwithstanding anything in section 78 of *The Insurance Act, 1910*, be deemed not to have expired and ceased to be in force 1910, c. 32.
after the eighteenth day of May, nineteen hundred and eleven, but to have continued and to be in force.

2. The Minister of Finance may, at any time not later Grant of license by Minister.
than the nineteenth day of May, nineteen hundred and thirteen, subject to the provisions of *The Insurance Act, 1910*, grant to the said Company the license necessary for carrying on business.

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2 GEORGE V.

CHAP. 69.

An Act respecting the British Columbia and Dawson Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1911, c. 44.

1. The British Columbia and Dawson Railway Company may lay out, construct and operate the following branch lines of railway:—

Branch lines authorized.

(a) From Fort George in a northerly direction to the valley of the Parsnip River by way of Fort McLeod, thence along the Parsnip River to its junction with the Peace River, thence, crossing the Peace River, along the valley of the Finlay River through Sifton Pass to the Stikine River, thence down the Stikine River to a junction with its main line at Telegraph Creek;

Fort George to main line at Telegraph Creek.

(b) From a point on the branch line described in paragraph (a) of this section, by way of the Pine River pass or the Peace River pass, or by the most feasible route to a point at or near Peace River Landing in the province of Alberta;

From above branch to Peace River Landing.

(c) From the city of Vancouver, by the most feasible route, to a point on the main line at or near Lillooet.

Vancouver to Lillooet.

2. The securities issued by the said Company in respect of the branch lines authorized by section 1 of this Act shall not exceed fifty thousand dollars per mile thereof, and may be issued only in proportion to the length of

Issue of securities on branch lines.

such branch lines constructed or under contract to be constructed.

Extension of
time for
construction.

3. The said Company may, within two years after the passing of this Act, commence the construction of its railway, or any of the said branch lines, and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railway, or any of the said branch lines, and put it in operation; and if, within the said periods respectively, the said railway, or any of the said branch lines, is not commenced and such expenditure is not so made, or the said railway, or any of the said branch lines, is not completed and put in operation, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway or any of the said branch lines as then remains uncompleted.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 70.

An Act to incorporate British Trust Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented representing that the Empire Trust Company was incorporated under that name by chapter 103 of the statutes of Quebec of 1903, and that in 1906 an Act was passed by the Parliament of Canada, chapter 87 of the statutes of 1906, purporting to change the name of the company to "The Dominion Trust Company," and it is expedient that it be enacted as hereinafter set forth: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
Que. 1903,
c. 103.
Can. 1906,
c. 87.

1. Jeffrey H. Burland, William Brisbane, Charles M. Holt, K.C., Arthur K. Fisk and William Caldwell, all of the city of Montreal, in the province of Quebec, being the directors of the company mentioned in the preamble, together with such persons as become shareholders in the company hereby incorporated, are incorporated under the name of "British Trust Company," hereinafter called "the Company."

Incorporation.
Corporate name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business, and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls upon stock subscribed and receive payments thereon, and shall deposit in a chartered bank in Canada all moneys received by them on account of the stock so subscribed for, or otherwise received

Provisional directors.
Powers.

received by them on account of the Company, and may withdraw the same for the purposes of the Company only, and may do generally what is necessary to organize the Company.

Capital stock.

3. The capital stock of the Company shall be one million dollars, divided into ten thousand shares of one hundred dollars each.

Head office.

4. The head office of the Company shall be in the city of Montreal, in the province of Quebec, and the directors may establish branch offices and local advisory boards at such other places in Canada or elsewhere as they determine.

Branch offices.

Commencement of business.

5. The Company shall not commence business until at least two hundred and fifty thousand dollars of stock have been bona fide subscribed and one hundred thousand dollars paid thereon in cash into the funds of the Company to be appropriated only for the purposes of the Company under this Act.

Directors.

6. The affairs of the Company shall be managed by a board of not less than seven nor more than twenty-one directors, a majority of whom shall be a quorum.

Qualifications.

2. No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares upon which all calls due have been paid; and if any director makes an assignment for the benefit of creditors, or comes within the operation of any insolvent law then in force, or ceases to hold twenty shares in his own right, he shall *ipso facto* cease to be a director, and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Resolution signed by all directors.

3. The Company may, by by-law, provide that a resolution in writing signed by all the directors shall be as valid as if it had been passed at a meeting of the directors.

Calls.

4. Calls on stock may be made by the directors at such times and in such proportions as they deem proper.

Business.

7. The Company may—

Trust money.

(a) receive money in trust for the purposes herein specified and invest and accumulate it at such lawful rates of interest as can be obtained therefor;

Trustee.

(b) accept and execute all such trusts of every description and nature as are entrusted to it by any government or person or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, administrator, trustee, accountant, arbitrator, adjustor, auditor, receiver, assignee, liquidator, sequestrator, official guardian, curator or committee of a lunatic, and perform the duties of such offices

or trusts as fully and completely as any person so appointed could do; receive and manage any sinking fund on such terms as may be agreed upon; and in all cases where application is made to any court, judge, officer or person having authority to make an appointment to any such office or trust, the Company, with its consent, may be appointed to hold such office or trust, with the substitution, if necessary, for any obligations required from any private person appointed to such office or trust, of such obligations as are applicable to corporations, and with such remuneration as may be fixed; take, hold and accept by grant, assignment, deed, transfer, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established or agreed upon; accept from and execute trusts for married women in respect of their separate property, real or personal, and act as agent for them in the management of such separate property; guarantee repayment of the principal or payment of the interest, or both, of any moneys entrusted to the Company for investment, on such terms and conditions as are agreed upon, act as agent for countersigning, registering or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to make the said issue, and may hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government or corporate body;

(c) act as agent or attorney for winding-up estates, Agent. receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

(d) be the custodian, on such terms as are agreed upon, Custodian. of jewellery, plate and other movable property of any kind and of deeds, wills, policies of insurance, bonds, debentures, securities for money or other valuable papers and documents and guarantee the safe keeping of the same, and lease and hire, for such compensation and remuneration and upon such terms and conditions as may be agreed upon, its vaults, safes and receptacles;

(e) act as investing and managing agent of estates and properties for and on behalf of executors, administrators Management of estates. and trustees or other persons;

(f) receive and collect such remuneration for its services Remuneration. as is agreed upon or as is fixed or allowed by law, and all usual and customary charges, costs and expenses;

(g) receive moneys in trust for investment and allow Investments. interest thereon for a reasonable time until invested, and advance moneys to protect any estate, trust or property entrusted

entrusted to it as aforesaid, and charge lawful interest upon any such advances; provided that nothing herein shall be held either to restrict or to extend the powers of the Company as trustee or agent under the terms of any trust or agency that may be conferred upon it;

Securities
for debts.

(h) take securities of such nature as are deemed expedient for any moneys owing to the Company;

Rights,
privileges,
and conces-
sions from
governments.

(i) obtain from any government any rights, privileges and concessions which the Company thinks it desirable to obtain, and carry out, exercise and comply with any such rights, privileges and concessions, not inconsistent with the provisions of this Act or of any other Act of the Parliament of Canada;

Real estate
which may
be held.

(j) hold such real estate as is necessary for the transaction of its business, not exceeding the net yearly value of fifteen thousand dollars, and any further real estate of whatever value which, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and sell, mortgage, lease, or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Investment
of trust
moneys.

8. The Company shall invest trust moneys as follows, and may manage, sell or dispose of such investments as the terms of the trust require:—

Mortgages of
real estate.

(a) upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral security thereto: Provided however, that investments in any country other than Canada shall be limited to moneys received from such country;

Stock and
securities.

(b) in the stock, funds or government securities of Canada, or of any province of Canada, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province, other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds and debentures of any school district in any such province, or in the public stock, funds or government securities of the United Kingdom, or of any of the colonies or dependencies thereof;

Securities
specified
by trust.
Existing
securities.

(c) in such securities as are authorized by the terms of the trust.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are

part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed, unless the will, deed, or instrument creating the trust provides otherwise.

9. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company so that at no time shall trust moneys form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith; provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money in the manner provided by section 8 of this Act in a general trust fund of the Company; provided always that the total amount of money of any one trust invested in the said general trust fund shall not, at any time, exceed three thousand dollars.

Trust funds
to be kept
separate.

Investment
of funds.

10. The Company may invest any money forming part of its own capital or reserve or accumulated profit thereon in any of the securities mentioned in section 8 of this Act, or on the security of real estate in Canada, or any interest in such real estate or on the security of the debentures, bonds, stock and other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province, as the directors deem expedient.

Investment
of moneys of
Company.

11. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such court, judge, officer or person may require the Company to render an account of its administration of the particular trust or office to which it has been appointed, and may appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held, and such person shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or officer thereof.

Accounts to
be rendered
by Company
when made
trustee by
court.

Note issue
prohibited.

Banking
prohibited.

Annual
statement
to be given
to Minister
of Finance.

Penalty for
neglect.

Acquisition
of business
of Dominion
Trust Co.

Acquisition
of business
of other
companies.

R.S., c. 79.

1906, c. 87
amended.

12. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer, or any promissory note intended to be circulated as money, or as the note of a bank, or to engage in the business of banking or of insurance.

13. The Company shall prepare, and annually transmit to the Minister of Finance, a statement in duplicate, verified by the oath of the president or vice-president and of the manager or secretary, setting forth the capital stock of the Company, the portion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statement shall be made up to the thirty-first day of December in each year.

2. If the Company, for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty.

14. The Company may acquire the stock and the whole or any part of the business, rights and property of the Empire Trust Company (mentioned in the preamble), conditional upon the assumption by the Company of such duties, obligations and liabilities of the said company with respect to the business, rights and property so acquired as are not performed or discharged by the said company.

15. The Company may acquire the whole or any part of the business, rights and property of any other companies within the legislative power of the Parliament of Canada carrying on any business which the Company is authorized to carry on, conditional upon the assumption by the Company of the duties, obligations and liabilities of every such company with respect to the business, rights and property so acquired as are not performed or discharged by such company: Provided that no such agreement shall take effect until it has been submitted to and approved of by the Treasury Board.

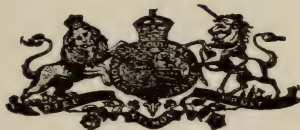
16. Part II. of *The Companies Act*, except sections 125, 141 and 165 thereof, shall apply to the Company.

17. Section 1 of chapter 87 of the statutes of 1906 is repealed.

18. The powers granted by this Act shall expire, and this Act shall cease to be in force, except as to section 17, for all purposes except for the winding up of the Company, at the end of two years from the passing thereof unless the Company goes into actual operation within such two years.

Forfeiture
of charter
by non-user.

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most Excellent Majesty.



2 GEORGE V.

CHAP. 71.

An Act to incorporate the British Western Loan Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Peter McAra, Charles Willoughby, William H. Duncan, William T. Mollard and James Balfour, all of the city of Regina, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The British Western Loan Company," hereinafter called "the Company." Incorporation.
Corporate name.

2. The persons named in section 1 of this Act shall be the first or provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business, and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls on stock subscribed and receive payments thereon, and shall deposit in a chartered bank in Canada all moneys received by them on account of stock subscribed, or otherwise received by them on account of the Company, and may withdraw the same only for the purposes of the Company, and may do generally what is necessary to organize the Company. Provisional directors.
Powers.

3. The capital stock of the Company shall be two million dollars divided into shares of one hundred dollars each. Capital stock.

Election of directors.

2. So soon as not less than one hundred thousand dollars of the capital stock have been subscribed, and not less than fifty thousand dollars of that amount have been paid into some chartered bank in Canada, the provisional directors shall call a general meeting of the shareholders at some place to be named in the city of Regina, at which meeting shall be elected a board of not less than ten nor more than twenty directors of the Company, a majority of whom shall be a quorum, and the said directors shall hold office until their successors are elected; and upon the election of such board the functions of the provisional directors shall cease.

Qualification.

3. No person shall be a director unless he holds in his own name and for his own use at least thirty shares of the capital stock of the Company and has paid all calls due thereon and all liabilities incurred by him to the Company.

Head office.

4. The head office of the Company shall be at the city of Regina, in the province of Saskatchewan, or at such other place in Canada as the Company determines by by-law, confirmed at a special general meeting of the Company duly called for the purpose; but the directors may establish branch offices and agencies elsewhere.

Other offices.

Change of head office.

2. Notice of any such change of the head office shall be published in at least one issue of *The Canada Gazette*.

Meetings, calling of.

5. A general meeting of the Company shall be called at its head office once in each year, after the organization of the Company and commencement of business, and at such meeting a statement of the affairs of the Company shall be submitted; and special, general or extraordinary meetings may at any time be called by any five of the directors, or by a requisition of any twenty-five shareholders, specifying in the notice thereof the object of such meeting.

Notice.

2. Notice of each meeting of the Company shall be given by printed or written notice to each of the shareholders mailed by registered post at least fourteen days before the day for which such meeting is called and addressed to the addresses of the shareholders respectively as given in the books of the Company.

Calls on stock.

6. The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first instalment shall not exceed twenty-five per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice shall be given of any call; and any notice of call may be effectually given by sending the notice by registered letter post paid to the address of the shareholder as given in the books of the Company.

7. The Company shall not borrow or lend money or otherwise carry on business until it has obtained from the Minister of Finance a certificate permitting it to do so; and no application for such certificate shall be made, and no such certificate shall be given, until the board of directors has been elected as required by this Act, nor until it has been shown to the satisfaction of the Minister of Finance that at least five hundred thousand dollars of the capital stock of the Company have been bona fide subscribed and at least one hundred thousand dollars thereof have been paid in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act. No such certificate shall be given unless application therefor is made within two years after the passing of this Act, or within such extended period as the Governor in Council, before the expiration of such two years, allows: Provided, that should such certificate not be duly made within the time limited, or should such certificate be refused, this Act shall thereupon cease to be in force except for the purpose of winding up the affairs of the Company and returning to the subscribers the amounts paid upon the subscribed stock, or so much thereof as they are entitled to.

Conditions of
commencing
business.

Certificate.

Subscription
of stock.

Cash
deposit.

Time for
application
for certificate.

Proviso:
for case of
certificate
not being
obtained.

8. The Company may lend money on the security of, or purchase or invest in,—

Business.

(a) mortgages or hypothecs upon freehold or leasehold real estate, or other immovables;

Mortgages
on real
estate.

(b) the debentures, bonds, fully paid-up stocks and other securities of any government or any municipal corporation or school corporation, or of any chartered bank in Canada (to the extent of not more than twenty per cent of the paid up capital stock of any such bank); provided that the Company shall not lend upon the security of, or purchase, or invest in bills of exchange or promissory notes;

Stocks and
securities.

Proviso.

(c) freehold real estate, subject to an agreement for sale, upon which not more than sixty per cent of the purchase price still remains to be paid under the said agreement for sale.

Freehold real
estate.

2. The Company may take personal security as collateral for any advance made, or to be made, or contracted to be made by or for any debt due to the Company.

Personal
security.

3. The Company shall not invest in, nor lend money upon the security of the stock of any other loan company.

Stock of loan
companies.

9. The Company may act as an agency association for the interest and on behalf of others who entrust it with money for that purpose, and may, either in the name of the Company, or of such others, lend and advance money to any person or municipal or other authority, or any board or body of trustees or commissioners, upon such securities as are mentioned in section 8 of this Act; and may purchase

Agency
association.

and acquire any securities on which it is authorized to advance money, and resell the same.

Enforcement
of agreements

2. The conditions and terms of such loans and advances, and of such purchases and resales, may be enforced by the Company for its benefit, and for the benefit of the person for whom such money has been lent or advanced, or such purchase and resale made; and the Company shall have the same powers in respect of such loans, advances, purchases and sales as are conferred upon it in respect of loans, advances, purchases and sales made from its own capital.

Guarantee of
repayment.

3. The Company may also guarantee the repayment of the principal or the payment of the interest, or both, of any money entrusted to the Company for investment.

Employment
of capital.

4. The Company may, for every or any of the foregoing purposes, lay out and employ the capital and property, for the time being, of the Company, or any part of the moneys authorized to be raised by the Company in addition to its capital for the time being, or any money so entrusted to it as aforesaid; and may do, assent to, and exercise all acts whatsoever which, in the opinion of the directors, are requisite or expedient to be done in regard thereto.

Moneys
guaranteed to
be deemed
borrowed.

5. All moneys as to which the repayment of the principal or payment of interest is guaranteed by the Company shall, for the purposes of this Act, be deemed to be money borrowed by the Company.

Liquidation
of companies.

10. The Company may liquidate, and carry on for the purposes of such liquidation, the business of any other company carrying on any business which the Company is authorized to carry on, upon such terms as may be agreed upon.

Moneys on
deposit.

11. The Company may borrow money and receive money on deposit upon such terms as to interest, security, time for payment and otherwise as may be agreed, and may issue its bonds, debentures and other securities for moneys borrowed:

Limitation of
liability to
the public.

Provided that the total of the Company's liabilities to the public outstanding from time to time shall not exceed four times the amount paid upon its then actually paid up and

Limitation of
amount held
on deposit.

unimpaired capital stock: Provided also, that the amount held on deposit shall not at any time exceed the aggregate amount of its then actually paid-up and unimpaired capital, and of its cash actually in hand or deposited in any chartered bank in Canada and belonging to the Company.

Decrease of
capital.

12. The directors may, from time to time, by by-law, provide for the decrease of the capital stock of the Company to any amount not less than one hundred thousand dollars which they consider sufficient.

2. Such by-law shall declare the number of the shares of the stock so decreased and the allotment thereof or the rules by which the same is to be made. Contents of by-law.

3. The liability of shareholders to persons who are, at the time the stock is decreased, creditors of the Company, shall remain as though the stock had not been decreased. Rights of creditors preserved.

13. No by-law for decreasing the capital stock of the Company shall have any force or effect unless and until it has been sanctioned by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering such by-law, such shareholders holding not less than two-thirds of the issued capital stock of the Company represented at such meeting, and provided that such by-law has afterwards been confirmed by a certificate of the Minister of Finance, given under the authority of the Treasury Board. Requisites for validity of by-law. Certificate of Minister of Finance.

14. Upon the application to the Minister of Finance for a certificate confirming such a by-law, the Company shall satisfy him of the bona fide character of the decrease of capital thereby provided for; and, unless it appears that the granting of such certificate would not be in the public interest, the Minister, with the approval of the Treasury Board, may grant the same: Provided that, with the consent of the Company, the amount of such decrease of capital may, by the certificate, be changed, and the decrease made subject to such conditions as the Treasury Board thinks proper. Requisites for such certificate. Proviso.

15. The directors may, with the consent of the shareholders at the first general meeting, or thereafter at any special general meeting duly called for the purpose, create and issue debenture stock in sterling or currency, in such amounts and manner, on such terms as to redemption or payment thereof, and otherwise, and bearing such rate of interest, as the directors from time to time think proper; but such debenture stock shall be treated and considered as part of the ordinary debenture debt of the Company, and shall be included in estimating the Company's liabilities to the public, under section 11 of this Act; and such debenture stock shall rank equally with the ordinary debenture and deposit debt of the Company, and no greater rights or privileges shall be conferred upon holders of debenture stock in respect thereof than are held or enjoyed by depositors or holders of ordinary debentures of the Company. Such stock shall be transferable in such amounts and in such manner as the directors determine. Debenture stock. To be included in estimates of liabilities to public. Rank. Transfer.

16. The debenture stock aforesaid shall be entered by the Company in a register to be kept for that purpose in Register of debenture stock.

Contents.

the head office of the Company in Canada, wherein shall be set forth the names and addresses of those from time to time entitled thereto, with the respective amounts of the said stock to which they are respectively entitled; and the register shall be accessible for inspection and perusal at all reasonable times to every mortgagee, debenture holder, bondholder, debenture-stockholder and shareholder of the Company without the payment of any fee or charge.

Exchange of debentures.

17. The holders of the ordinary debentures of the Company may, with the consent of the directors, at any time exchange such debentures for debenture stock.

Cancellation of debenture stock.

18. The Company, having issued debenture stock, may from time to time, as it thinks fit and in the interest of the Company, but only with the consent of the holders thereof, buy up and cancel the debenture stock or any portion thereof.

Preference stock by-laws invalid till sanctioned.

19. No by-law to create and issue preference stock shall have any force or effect until it has been sanctioned, either by the shareholders in writing or by a vote of the shareholders present or represented by proxy at a general meeting of the Company duly called for considering it, such shareholders present at the meeting or represented thereat by proxy holding not less than two-thirds of the amount paid upon the capital stock of the Company.

Reserve fund.

20. The directors may set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies, or for equalizing dividends, or for repairing, improving or maintaining any of the property of the Company, and for such other purposes as the directors may in their discretion think conducive to the interests of the Company, and may invest the several sums so set aside upon such investments (other than shares of the Company) as they may think fit, and may from time to time deal with and vary such investments and dispose of all or any part thereof for the benefit of the Company, and may divide the reserve fund into such special funds as they think fit, with all power to employ in the business of the Company the assets constituting the reserve fund, and that without being bound to keep the same separate from the other assets: Provided always that the investment of the reserve fund shall be subject to the limitations in section 8 of this Act.

Extension of business outside of Canada.

21. The Company may, in general meeting of its shareholders duly called for the purpose, at which meeting shareholders representing at least two-thirds of the paid-up capital stock of the Company are present or represented

by proxy, pass a by-law authorizing its directors to extend the business of the Company outside of Canada.

2. If, as provided in the next preceding subsection, the Company carries on business outside of Canada, the Company may, in general meeting of the shareholders duly called for the purpose, pass a by-law authorizing the directors to invest moneys of the Company in the acquisition of property for the erection of or purchase of buildings required for the occupation or use of the Company in any place where the Company is so carrying on business.

Property and buildings for agencies abroad.

22. All transfers of debenture stock of the Company shall be registered at the head office of the Company and not elsewhere, but the said transfers may be left with such agent or agents in the United Kingdom or elsewhere as the Company appoints for that purpose, for transmission to the Company's head office for registration.

Transfers of debenture stock.

23. The Company may purchase, acquire and undertake, the whole or any part of the business, assets, rights, credits, effects, and property, real, personal and mixed, of whatsoever kind and wheresoever situated, belonging to any other company within the legislative power of the Parliament of Canada, and the liabilities and the name and good-will of such other company, provided such other company carries on any business which the Company is authorized to carry on; and may pay therefor in cash or in stock either fully paid up or partly paid up, or partly in cash and partly in stock either fully paid up or partly paid up, or in any other manner; and the Company may enter into agreements for such purchase and sale and do all other acts necessary or convenient for the purposes of such purchase and sale: Provided always that specified assets may be excepted from any such purchase and sale: Provided further that no such agreement shall become operative and effective until it has been submitted to and approved by the Treasury Board.

Power to acquire business, etc.; of other companies.

Payment.

Proviso.

Approval of Treasury Board.

2. The liabilities of any company which are assumed by the Company shall form part of the total liabilities of the Company to the public for the purposes of section 11 of this Act.

Liability to the public.

24. In case any company whose assets are acquired by the Company has issued debenture stock, and such debenture stock is outstanding at the date of such acquisition, the directors of the Company may, if and when they think fit, and either with or without the sanction of the shareholders issue debenture stock to the extent of the nominal value of the debenture stock of such other company outstanding as aforesaid, and may with the consent of any holder of debenture stock in such other company give to him, in lieu of the

Issue of debenture stock in lieu of debenture stock of other companies.

debenture stock held by him, debenture stock of the Company on such terms as may be agreed upon.

Directors.

Election.

Quorum.

25. At the first general meeting of the Company, and at each annual meeting, the holders of the capital stock present or represented by proxy shall choose not less than ten nor more than twenty persons to be directors of the Company, a majority of whom shall be a quorum.

Company
not bound to
see to
execution of
trusts.

26. The Company shall not be bound to see to the execution of any trust, whether express, implied or constructive, to which any share of its stock, or debenture, or debenture stock, or any deposit or any other money payable by or in the hands of the Company may be subject, and the receipt of the party in whose name such share, debenture, debenture stock, deposit or money, stands in the books of the Company, shall from time to time be sufficient discharge to the Company for any payment made in respect of such share, debenture, debenture stock, deposit or money, notwithstanding any trust to which it may then be subject, and whether or not the Company has had notice of such trust, and the Company shall not be bound to see to the application of the money paid upon such receipt.

Transmission
of interest
in shares
otherwise
than by
transfers.

27. If the interest of any person in any share in the capital stock, or debenture stock, or in any bond, debenture, or obligation of the Company, which bond, debenture or obligation is not payable to bearer, or in any deposit or any other money payable by or in the hands of the Company, is transmitted in consequence of the death, or bankruptcy, or insolvency of such holder, or by any lawful means other than a transfer upon the books of the Company, the directors shall not be bound to allow any transfer pursuant to such transmission to be entered upon the books of the Company, or to recognize such transmission in any manner, until a declaration in writing, showing the nature of such transmission, and signed and executed by the person claiming by virtue of such transmission, and also executed by the former shareholder, if living and having power to execute the same, has been filed with the manager or secretary of the Company and approved by the directors; and if the declaration, purporting to be signed and executed, also purports to be made or acknowledged in the presence of a notary public, or of a judge of a court of record, or of a mayor of any city, town or borough, or other place, or of a British Consul, or vice-consul, or other accredited representative of the British Government in any foreign country, the directors may, in the absence of direct actual notice of a contrary claim, give full credit to the declaration and, unless the directors are not satisfied with the responsibility of the transferee, shall allow

the name of the party claiming by virtue of the transmission to be entered in the books of the Company.

28. If the transmission takes place by virtue of any testamentary act or instrument, or in consequence of any intestacy, the probate of the will or letters of administration or document testamentary, or other judicial or official instrument under which the title, whether beneficial or as trustee, or the administration or control of the personal estate of the deceased is claimed to vest, purports to be granted by any court or authority in Canada, or in Great Britain or Ireland, or in any other of His Majesty's dominions, or in any foreign country, or an authenticated copy thereof or official extract therefrom, shall, together with the declaration mentioned in section 27 of this Act, be produced and deposited with the manager, secretary, treasurer, or other officer named by the directors for the purpose of receiving the same; and such production and deposit shall be sufficient justification and authority to the directors for paying the amount or value of any dividend, coupon, bond, debenture, or obligation or share, or any deposit or any other moneys payable by or in the hands of the Company, or for transferring or consenting to the transfer of any bond, debenture, obligation or share or any deposit or any other moneys payable by or in the hands of the Company, in pursuance of, and in conformity to such probate, letters of administration or other such documents aforesaid.

Requirements
in case of
transmission
by will or
intestacy.

29. Whenever the directors entertain reasonable doubts as to the legality of any claim to or upon any shares, bonds, debentures, obligations, dividends or coupons, or the proceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, then and in such case the directors may file in any court of competent jurisdiction in the province where the head office of the Company is situated, a petition stating such doubts and praying for an order or judgment adjudicating and awarding the said shares, bond, debentures, obligations, dividends, coupons or proceeds thereof, or any deposit or any other moneys payable by or in the hands of the Company, to the parties legally entitled thereto; and such court shall have authority to restrain any action, suit or proceedings against the Company, the directors and officers thereof, for the same subject matter, pending the determination of the petition; and the Company and the directors and officers shall be fully protected and indemnified by obedience to such order or judgment against all actions, suits, claims and demands in respect of the matters in question in such petition and the proceedings thereupon: Provided always, that if the court adjudges that such doubts were reasonable the costs, charges and expenses of the Company in and

Directors
may apply
to court in
case of
doubt.

Proviso.

Costs if
doubts
reasonable.

about such petition and proceedings shall form a lien upon such shares, bonds, debentures, obligations, dividends, coupons or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company, and shall be paid to the Company before the directors shall be obliged to transfer or assent to the transfer of or to pay such shares, bonds, debentures, obligations, dividends, coupons, or proceeds thereof or any deposit or any other moneys payable by or in the hands of the Company to the parties found to be entitled thereto.

Term for
which land
may be held.

Forfeiture.

Extension
of term.

Notice of
enforcing
forfeiture.

Statement
of lands
subject to.

Annual
statement to
Minister of
Finance.

30. No parcel of land or interest therein at any time acquired by the Company and not required for its actual use and occupation or not held by way of security, shall be held by the Company or by any trustee on its behalf for a longer period than ten years after the acquisition thereof; but such land or interest therein shall be absolutely sold and disposed of so that the Company shall no longer retain any interest therein unless by way of security; and any such parcel of land or any interest therein not within the exceptions hereinbefore mentioned which has been held by the Company for a longer period than ten years without being disposed of, shall be forfeited to the Crown: Provided that the Governor in Council may extend the said period from time to time not exceeding in the whole twelve years: Provided further that no such forfeiture shall take effect or be in force until the expiration of at least six months after notice in writing to the Company of the intention of the Crown to claim such forfeiture; and the Company shall, when required, give to the Minister of Finance a full and correct statement of all lands at the date of such statement held by the Company or in trust for the Company and subject to these provisions.

31. The Company shall, on or before the first day of March in each year, transmit to the Minister of Finance a statement in duplicate, to and including the thirty-first day of December of the previous year, verified by the oaths of the president or vice-president and the manager or secretary, setting out the capital stock of the Company and the proportion thereof paid up, the assets and liabilities of the Company, the amount and nature of the investments made by the Company, both on its own behalf and on behalf of others, and the average rate of interest derived therefrom, distinguishing the classes of securities and also the extent and value of the lands held by it, and giving such other details as to the nature and extent of the business of the Company as the Minister of Finance requires, and in such forms and with such details as he from time to time requires and prescribes; but the Company shall in no case be bound

to disclose the names or private affairs of any person who has dealings with it.

2. If the Company for the space of one month neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default, shall incur the like penalty.

Penalty for
non-
compliance.

32. Sections 125, 126, 135, 141, 161, 165 and 167 of *The Companies Act* shall not apply to the Company. R.S., c. 79.

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most Excellent Majesty.



2 GEORGE V.

CHAP. 72.

An Act respecting the Calgary and Fernie Railway Company.

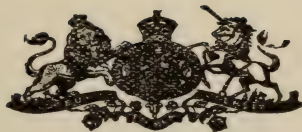
[Assented to 12th March, 1912.]

WHEREAS the Calgary and Fernie Railway Company Preamble.
has by its petition prayed that it be enacted as here- 1906, c. 71;
inafter set forth, and it is expedient to grant the prayer of 1908, c. 89;
the said petition: Therefore His Majesty, by and with 1910, c. 77.
the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. The Calgary and Fernie Railway Company may Extension of
time for
construction.
commence the construction of its railway, and expend fifteen
per cent of the amount of its capital stock thereon, within
two years after the passing of this Act, and may complete
the said railway and put it in operation within five years
after the passing of this Act; and if, within the said periods
respectively, the said railway is not so commenced and such
expenditure is not so made, or is not so completed and put
in operation, the powers of construction conferred upon
the said company by Parliament shall cease and be null
and void as respects so much of the said railway as then
remains uncompleted.

2. Chapter 77 of the statutes of 1910 is repealed. 1910, c. 77
repealed.

3. Section 1 of chapter 71 of the statutes of 1906 is Incorporation.
amended by striking out the words "William Roderick
Ross, John Stephen Traverse Alexander and Iven Reid
Poole, of the city of Fernie, David McEwan Eberts, of the
city of Victoria," and substituting therefor the words
"James Roseborough Lawrey and S. S. Manahan, of the
city of Victoria; and Iven Reid Poole and Albert Mutz, of
the city of Fernie."



2 GEORGE V.

CHAP. 73.

An Act respecting the Canadian Birkbeck Investment and Savings Company, and to change its name to "The Canadian Mortgage Investment Company."

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient to 1899, c. 103.
grant the prayer of the said petition: Therefore His Majesty,
by and with the advice and consent of the Senate and House
of Commons of Canada, enacts as follows:—

1. The name of the Canadian Birkbeck Investment and Savings Company is changed to "The Canadian Mortgage Investment Company;" but such change of name shall not in any way impair, alter or affect the rights or liabilities of the said Company, nor in any way affect any suit or proceeding now pending or judgment existing either by, Name changed.
or in favour of, or against the said Company, which, notwithstanding such change in the name of the said Company, may be prosecuted, continued, completed and enforced as if Saving of rights.
this Act had not been passed.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 74.

An Act respecting the Canadian Northern Montreal Tunnel and Terminal Company, Limited.

[Assented to 1st April, 1912.]

WHEREAS the Canadian Northern Montreal Tunnel and Terminal Company, Limited, hereinafter called "the Company," has represented that it is incorporated under the provisions of *The Companies Act*, and it is expedient that it be enacted as hereinafter set forth: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

R.S., c. 79.

1. The works and undertaking of the Company specified in section 2 of this Act are declared to be a work for the general advantage of Canada. Declaratory.

2. The Company may construct and operate the following works:— Tunnel and railway authorized.

(a) A tunnel (for one or more railway tracks) running from a point in the city of Montreal, thence in a generally westerly direction under Mount Royal, with the necessary approaches thereto and terminals, local stations and works incidental to the use and operation thereof, other than airshafts, off-takes and similar outlets;

(b) Lines of railway to connect the works of the Company with the lines and tracks of the Canadian Northern Ontario Railway Company, of the Canadian Northern Quebec Railway Company, and of the Harbour Commissioners of Montreal;

(c) The tunnel so constructed shall be equipped for the electric operation of all trains through it, or for some other

other system (other than steam by coal consumption) of operation approved by the council of the city of Montreal. Trains shall not be operated through such tunnel, nor shall shunting movements be executed between the east portal of the tunnel and the St. Lawrence river front by steam produced by coal consumption, except in the case of and during only the accidental or other unforeseen disablement of the electrical or other approved operating equipment.

Consent of
city council
of Montreal.

3. The Company shall not construct or operate any of its undertakings along or above (except for the purposes of crossing upon approval of the Board of Railway Commissioners for Canada) or within twenty-five feet beneath the surface of any street, square, park or public place owned or under the control of the city of Montreal without having first obtained the consent of the council of the said city expressed by by-law. The twenty-five foot limitation shall not apply to the point where the proposed subway may cross Lagauchetière street. The Company shall not construct any surface line upon or across any existing cemetery or Mount Royal Park, or expropriate any portion of the surface of Mount Royal Park or of any existing cemetery.

No construc-
tion over
existing
cemeteries
or Mount
Royal Park.

Construction
under
cemetery.

4. No part of any such tunnel or subterranean construction shall be less than two hundred and fifty feet perpendicularly beneath the surface of any existing cemetery.

Rights
in added
territory.

5. In the event of the boundaries of the city of Montreal being hereafter extended, the Company shall retain any right of operation previously acquired within such added territory.

Issue of
securities.

6. The securities issued by the Company in respect of the works authorized by section 2 of this Act shall not exceed twenty million dollars.

Special
powers.

7. In addition to the powers contained in *The Railway Act*, which are hereby declared to apply to the tunnel and other works authorized by section 2 of this Act, the Company may, for the purposes of such tunnel and works,—

- (a) expropriate and take an easement in, over, under or through any lands;
- (b) in reduction of the damage or injury to any lands taken or affected by such authorized lines and works, abandon or grant to the owner or party interested therein, any portion of such lands or any easement or interest therein or make any structures, works or alterations in or upon its works for such purposes.

2. If the Company, by its notice of expropriation or some subsequent notice, prior to the first meeting of the arbitrators, specify its decision to take only such easement or undertake to abandon or grant such lands or easement or interest in lands, or to make such structures or works or alterations, the damages (including damages, if any, resulting from the change in the notice of expropriation) shall be assessed by the arbitrator or arbitrators appointed pursuant to the provisions of *The Railway Act* in view of such specified decision or undertaking, and the arbitrator or arbitrators shall declare the basis of their award accordingly, and such award, as well as such specified decision or undertaking of the Company, may be enforced by the Board of Railway Commissioners for Canada.

Assessment and award of damages in certain cases.

8. The Company may, before and after the commencement of its works authorized by section 2 of this Act,—

(a) enter into and upon any lands, buildings or structures proximate to such works, for the purpose of ascertaining the state of repair thereof and for devising the best means of avoiding any possible damage which the execution of the works might occasion thereto;

(b) make upon or in connection therewith any works, repairs or renewals, for the purpose of preventing or mitigating any such damage.

Powers of entry and examination to prevent damage.

2. The Company shall make compensation in the manner specified in *The Railway Act* to all persons interested for the damage sustained by them (if any) by reason of the exercise of the powers in this section contained.

Compensation for damages.
R.S., c. 37.

3. Section 216 of *The Railway Act* shall apply to the exercise of the foregoing powers so far as is necessary to enable the Company to carry them into effect.

Proceedings on resistance.

9. The provisions of *The Railway Act* relating to damages and compensation, and the ascertainment and payment thereof, shall apply in respect of the exercise of powers hereby given.

Payment of damages.

10. *The Railway Act*, where not inconsistent with this Act, shall apply to the works authorized by this Act.

R. S., c. 37.

11. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements, for any of the purposes specified in the said section 361, with the Canadian Northern Railway Company, and with any railway company authorized to construct or operate lines of railway upon the Island of Montreal, and with the Harbour Commissioners of Montreal, and with the Intercolonial Railway.

Agreements with other companies.

Time for
construction
limited.

12. The Company shall commence the construction of its tunnel, or the said lines of railway, within two years after the passing of this Act, and if such commencement is not so made or if the said tunnel or lines of railway are not completed within five years after the passing of this Act, the powers of construction granted to the Company by Parliament under section 2 of this Act shall cease and be null and void as respects so much of the said works as then remains uncompleted.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 75.

An Act respecting the Canadian Northern Ontario Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Canadian Northern Ontario Railway Act, 1912.* Short title.

2. The Canadian Northern Ontario Railway Company, hereinafter called “the Company,” may complete and put in operation the following lines of railway:— Lines of railway authorized.

(a) The lines of railway authorized by section 3 of chapter 110 of the statutes of 1905, namely;

(i) from a point on the Company’s line at or near Toronto, thence easterly to Ottawa;

(ii) from a point at or near the French River, thence easterly, passing through or near Ottawa and Hawkesbury, to Montreal, branching on Montreal Island to enter Montreal from both the northeast and southwest;

(iii) from a point on the Company’s line at or near Sudbury, thence westerly and south of Lake Nipigon to a point on the Canadian Northern Railway at or near Kashabowiwe west of Port Arthur, passing through or near Port Arthur, or with a branch to Port Arthur:

(b) The uncompleted portion of the line of railway authorized by section 3 of chapter 50 of the statutes of 1895, as amended by section 3 of chapter 114 of the statutes of 1906, namely, from Parry Sound in a northerly direction to a point at or near the mouth of Moose River on James Bay.

Time for
construction
limited.

2. If the said lines of railway are not completed and put in operation within five years after the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to so much of the said lines as then remains uncompleted.

Repeal.

3. Subsection 1, and paragraph (b) of subsection 2, of section 7 of chapter 72 of the statutes of 1907 are repealed.

Lines of
railway
authorized.

4. The Company may construct and operate the following lines of railway:—

(a) From a point on its authorized line between Port Arthur and Sudbury, near the head of Long Lake, thence in a generally northerly and westerly direction to a junction with the National Transcontinental Railway east of Lake Nipigon;

(b) From a point on its authorized line between Ottawa and North Bay in or near the township of Chisholm, thence in a generally southeasterly direction to a point on the Central Ontario Railway at or between Bancroft and Whitney.

Time for
construction
limited.

2. If the said lines are not commenced within two years, and are not completed and put in operation within five years, after the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to so much of the said lines as then remains uncompleted.

Issue of
securities.

5. The limit to the amount of the securities which the Company may issue in respect of the lines of railway hereby authorized shall be the limit fixed by section 3 of chapter 57 of the statutes of 1911, namely, forty thousand dollars per mile, and such securities may be issued only in proportion to the length of such line constructed or under contract to be constructed.

1910, c. 79
amended.

Agreements
with other
companies.

6. Section 2 of chapter 79 of the statutes of 1910 is amended by adding after the word "Company" in the eleventh line of the said section the words "the Canadian Northern Montreal Tunnel and Terminal Company, Limited, and the Toronto Eastern Railway Company."



2 GEORGE V.

CHAP. 76.

An Act respecting the Canadian Northern Quebec Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1907, c. 73;
1908, c. 94;
1909, c. 64;
1911, c. 58.

1. This Act may be cited as *The Canadian Northern Quebec Railway Act, 1912.* Short title.

2. The Canadian Northern Quebec Railway Company, hereinafter called "the Company," may construct and complete the lines, branches and extensions mentioned in paragraphs (c), (e) and (f) of section 3 of chapter 73 of the statutes of 1907, namely:—

Lines of
railway
authorized.

(a) The line and branch of the Quebec, New Brunswick and Nova Scotia Railway Company as described in section 7 of chapter 178 of the statutes of 1903;

(b) Those portions of the line of the Great Northern Railway of Canada described in section 1 of chapter 104 of the statutes of 1906;

(c) The lines, branches and extensions of the Chateauguay and Northern Railway Company as described in section 2 of chapter 75 of the statutes of 1899 of the province of Quebec:

All of the said lines being partly constructed.

3. Unless the Company completes and puts in operation within five years after the passing of this Act the said lines, Time for construction limited.

lines, branches and extensions of railway, the powers conferred on the Company by Parliament shall cease with respect to so much of the said lines as then remains uncompleted.

Agreement
with other
companies

4. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements, for any of the purposes specified in the said section 361, with the Canadian Northern Montreal Tunnel and Terminal Company, Limited.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 77.

An Act respecting the Canadian Northern Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Canadian Northern Railway Act, 1912.* Short title.

2. The Canadian Northern Railway Company, hereinafter called "the Company," may construct the lines of railway authorized by paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), (j) and (k) of section 2 of chapter 80 of the statutes of 1910, namely:— Time for construction of railway extended.

(a) From a point at or near Dundee, thence in a generally northerly and easterly direction to a point on the Winnipeg river in or near township 18, range 10, east of the principal meridian;

(b) From a point on the Company's line of railway at or near Portage la Prairie, thence in a generally southerly and easterly direction to a point on the Ridgeville section of its line of railway in or near township 2, range 7, east of the principal meridian;

(c) From a point on its line of railway at or near Hartney, thence in a generally westerly direction to a point on its authorized line in or near township 5, range 7, west of the second meridian;

(d) From a point at or near Moosejaw, thence in a generally southerly and easterly direction, keeping west of Moosejaw creek and the Souris river, to a point in or near township 2, thence easterly to a point at or near Bienfait, with a branch from a point on such line or location at or near Estevan to a point at or near Roche Percée in township 1, range 6, west of the second meridian;

(e) From a point on the Qu'Appelle, Long Lake and Saskatchewan Railway between Davidson and Disley, thence in a generally westerly and northwesterly direction to a point on the Saskatoon-Calgary line in or near township 30, range 14, west of the third meridian;

(f) From a point on its main line at or near Lashburn in township 48, range 25, west of the third meridian, thence in a generally westerly and northwesterly direction to a point on its authorized line between Edmonton and Camrose in or near township 50, range 22, west of the fourth meridian;

(g) From a point on its Saskatoon-Calgary line in or near township 28, range 6, west of the fourth meridian, thence in a generally northwesterly and westerly direction to a point at or near Rocky Mountain House on the North Saskatchewan river;

(h) From a point on its Saskatoon-Calgary line at or near the crossing of the Red Deer river in or near township 28, range 19, west of the fourth meridian, thence in a generally northwesterly and westerly direction, passing through or near Innisfail and Rocky Mountain House, to the headwaters of the Brazeau and McLeod rivers, and thence to a point on its authorized line at or near the Yellow Head Pass;

(i) From a point on its constructed line near Winnipegosis, thence in a generally southerly and easterly direction to a point on its constructed line near the south end of Lake Manitoba;

(j) From a point on its authorized line between Prince Albert and Battleford in or near township 49, range 3, west of the third meridian, thence in a generally northwesterly and northerly direction to a point at or near Fort Resolution on the Great Slave Lake;

(k) From a point on its authorized line east of Lake Manitoba, thence westerly, via the narrows, to a point on its constructed line between Grand View and Roblin.

2. If the said lines are not completed and put in operation within five years after the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to so much of the said lines as then remains uncompleted.

3. The Company may also construct the lines of railway authorized by paragraphs (e), (g), (i), (k), and (l) respectively, of section 2 of chapter 92 of the statutes of 1908, (the

Time for
construction
of railways
limited.

Time for
construction
of railways
extended.

time for the construction of which lines was extended by section 6 of chapter 80 of the statutes of 1910), namely:—

(i) From Regina southwesterly to a point on the international boundary between ranges 1 and 4 west of the third meridian;

(ii) From a point on its Rossburn branch near Russell westerly via Yorkton to a point on its authorized line near Goose lake, Saskatchewan;

(iii) From a point ten miles north of the Company's line between Winnipeg and Ste. Anne, thence in a generally southerly direction to the Manitoba boundary between ranges 2 and 4;

(iv) From a point on the Company's authorized line at or near Battleford, thence in a generally westerly direction to a point on the headwaters of the Brazeau river;

(v) From a point in or near Regina northerly to or near to Humboldt, thence northeasterly down or near the valley of the Carrot river to a point at or near the Pas Mission on the Saskatchewan river, and from a point on the Company's line between Humboldt and the South Saskatchewan river northeasterly to a point at or near the crossing of the South Saskatchewan river by the Company's Prince Albert branch.

2. If the said lines are not commenced within two years, and are not completed and put in operation within five years, after the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to so much of the said lines as then remains uncompleted.

Time for
construction
of railways
limited.

4. The Company may construct the following lines of railway authorized by chapter 45 of the statutes of Alberta of 1909 in respect of the Alberta Midland Railway Company, which has been amalgamated with the Company, and which lines may be shortly described as follows:—

Lines of
railway
authorized
in Alberta.

(a) From a point at or near Vermilion to or near Whitford Lake, and thence to a junction with the Company's line near Bruderheim;

(b) From a point near Morinville, thence easterly to the eastern boundary of Alberta;

(c) From a point at or near Edmonton, thence northwesterly to a point on the Peace river;

(d) From near the authorized crossing of the Little Bow river, southerly via Macleod to the south boundary of Alberta;

(e) From a point on the last mentioned line, between Macleod and the Belly River, westerly to the western boundary of Alberta;

(f) From a point between Cardston and the southern boundary of Alberta, westerly to the western boundary of Alberta;

(g) From Calgary westerly to Cochrane, Exshaw and Banff, and from a point in Cochrane northerly to intersect the Company's line near Pigeon lake;

(h) From Cochrane southerly to Nanton;

(i) From Little Beaver lake northwesterly to Wetaskiwin, thence westerly to or near Pigeon Lake, thence northwesterly to connect with the Company's authorized line;

(j) From a point at or near Content, westerly via Red Deer to or near Rocky Mountain House:

Provided that line (b) may start from a point between Morinville and Oliver and shall terminate on the said boundary in townships 54 or 55; that line (c) shall terminate at a point at or near Dunvegan; that line (d) shall terminate on the said boundary in ranges 26 or 27, west of the fourth meridian; that line (e) shall terminate on the said boundary in townships 6 or 7; that line (f) shall terminate on the said boundary in townships 3 or 4; and that line (i) shall terminate at or near Lake Wabamum.

Lines of
railway
authorized in
Saskatche-
wan.

5. The Company may construct the following lines of railway authorized by chapter 18 of the statutes of Saskatchewan of 1908-1909, in respect of the Saskatchewan North-Western Railway Company, which has been amalgamated with the Company, and which lines may be shortly described as follows:—

(a) From a point between Aylesbury and Davidson, northerly and westerly to the west boundary of Saskatchewan;

(b) From a point on the Company's line between Kaiser and the east boundary of Saskatchewan, westerly to the west boundary of Saskatchewan south of the Saskatchewan river;

(c) From a point in or near Moosejaw, southerly and easterly to the International boundary:

Provided that line (a) shall terminate on the said boundary in townships 31 or 32; that line (b) shall terminate in townships 16 or 17; and that line (c) shall terminate in ranges 15 or 16, west of the second meridian.

Time for
construction
of railways
limited.

6. The Company may construct the following lines of railway authorized by chapter 41 of the statutes of Saskatchewan of 1909, in respect of the Saskatchewan Midland Railway Company, which has been amalgamated with the Company, and which lines may be shortly described as follows:—

(a) From a point on the Company's authorized line within ranges 1 and 2 west of the third meridian, northeasterly to join the Company's Thunderhill Branch;

(b) From a point on the Company's line between Kaiser and Kendal, southwesterly, westerly and northwesterly to Swift Current; and from Swift Current to a point at or

near Saskatchewan Landing and northerly and easterly to a point on the Company's line near Delisle;

(c) From a point on the Company's Brandon-Regina branch between Lovat and Kendal, southwesterly to the International boundary;

(d) From a point at or near Regina, southerly and easterly to or near North Portal on the International boundary:

Provided that line (a) shall terminate in ranges 26 or 27; and that line (c) shall terminate on the said boundary in ranges 18 or 19, west of the second meridian.

7. If the lines mentioned in sections 4, 5 and 6 of this Act are not commenced within two years, and are not completed and put in operation within five years, after the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to so much of the said lines as then remains uncompleted.

Lines of
railway
authorized in
Saskatche-
wan.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 78.

An Act respecting the Canadian Pacific Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Canadian Pacific Railway Act, 1912.* Short title.

2. The Canadian Pacific Railway Company, hereinafter called "the Company," may lay out, construct, and operate the following lines of railway, namely:— Lines of railway authorized.

(a) From a point at or near Hawarden on its Moosejaw Northwesterly branch in a northerly direction to a point at or near Floral, or Cheviot, on its Pheasant Hills branch, or to a point between these two places in the province of Saskatchewan;

(b) From a point on its Estevan-Forward branch, in township 2 or 3, range 12, 13 or 14, west of the second meridian in a westerly and northwesterly direction to a junction with its Weyburn-Lethbridge branch in township 5 or 6, range 25 or 26, west of the second meridian, in the province of Saskatchewan;

(c) From a point at or near Sedgewick on its Hardisty subdivision in a southerly direction to a point in township 39 or 40, range 11, 12 or 13, west of the fourth meridian, in the province of Alberta;

(d) In a northwesterly and northerly direction from a point on its line from Wilkie, authorized by paragraph (b) of section 3 of chapter 74 of the statutes of 1907, to a point near the north Saskatchewan river in township 51 or 52, range 1 or 2, west of the fourth meridian, in the provinces of Saskatchewan and Alberta;

(e) From a point at or near Kipp on its Crow's Nest subdivision in an easterly and northeasterly direction to a point in township 12 or 13, range 12 or 13, west of the fourth meridian, in the province of Alberta;

(f) From the northwesterly terminus of the line from Asquith authorized by paragraph (b) of section 3 of chapter 81 of the statutes of 1910, in a westerly and northwesterly direction, to a point at or near Battleford, in the province of Saskatchewan;

(g) From a point at or near Irricana in an easterly and southeasterly direction to a point in township 20 or 21, range 11 or 12, west of the fourth meridian, in the province of Alberta.

Time for
construction
limited.

3. The Company may, within two years after the passing of this Act, commence to construct any of the lines of railway authorized by section 2 of this Act, and may, within five years after the passing of this Act, complete any of the said lines of railway; and if, within the said periods, respectively, any such line is not so commenced, or is not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of that line of railway as then remains uncompleted.

Time for
construction
of railway
extended.

4. The Company may, within two years after the passing of this Act, commence to construct, and, within five years after the passing of this Act, complete and put in operation the following lines of railway which it is authorized to construct by section 1 of chapter 55 of the statutes of 1900, section 1 of chapter 95 of the statutes of 1908 (as amended by section 2 of chapter 81 of the statutes of 1910), and paragraph (a) of section 3 of chapter 81 of the statutes of 1910, namely:—

(a) From a point at or near Osborne on the Company's Pembina Mountain branch, thence westerly and southwesterly to some point on the line of the Manitoba Southwestern Colonization Railway between Cartwright and Boissevain, in the province of Manitoba;

(b) From a point at or near Otterburne on the Company's Emerson branch, thence southeasterly to a point at or near Stuartburn in township 2, range 6, east of the principal meridian, in the province of Manitoba;

(c) From a point at or near Killam, or some point in township 44, range 12, 13 or 14, west of the fourth meridian,

in a northwesterly direction to a point at or near Strathecona, in the province of Alberta;

(d) From a point in township 22, range 2, east of the principal meridian, in a northerly or northwesterly direction to a point in township 34, range 5, 6 or 7, west of the principal meridian, in the province of Manitoba.

2. If within the said periods respectively any of the said lines is not so commenced, or is not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of that line as then remains uncompleted. Time for construction limited.

5. The Company may make the terminus of the branch, which it was authorized to construct by section 1 of the said chapter 55 of the statutes of 1900, as amended by section 1 of chapter 73 of the statutes of 1905, and by section 5 of chapter 81 of the statutes of 1910, namely its Lauder westerly branch, at or near Stoughton on its Arcola branch, instead of a junction with the northwest extension of the Souris branch, or a point at or near Griffin, as in the said sections provided. Time for making of terminus extended.

6. The Company may issue bonds, debentures or other securities to the amount of thirty thousand dollars per mile, constructed or under contract to be constructed, of the lines of railway authorized by this Act. Issue of securities.

2. Any such issue shall be made according to the provisions of the Company's Special Act as defined by section 2 of *The Railway Act*, and in all respects not inconsistent with those provisions, the provisions of section 136 (except those of subsection 1 thereof) to 146, both inclusive, of *The Railway Act*, shall also apply to any such issue. R.S., c. 37.

7. In lieu of the bonds, the issue of which is authorized by this Act, the Company, being first authorized so to do by at least two-thirds of the votes of the shareholders present or represented at an annual meeting, or at a special meeting of the shareholders duly called for the purpose, may issue consolidated debenture stock to the same amount, the holders of which shall have equal rights in all respects and shall rank *pari passu* with holders of such consolidated debenture stock as the Company has, prior to the passing of this Act, been authorized to issue. Issue of debenture stock.

8. Chapter 35 of the statutes of 1892 is amended by inserting after the word "bonds" in the fifth line of section 6 thereof, the words "and debenture stock." 1892, c. 35 amended.

9. In addition to the powers which the Company has under its various Acts, and under *The Railway Act*, the Company Expropriation for Windsor

station,
Montreal.

Company may expropriate for the Windsor street station and terminals thereat and approaches thereto and for the construction or re-arrangement of tracks leading to the said station and terminals in the city of Montreal, any easement, servitude, right of way or other privilege enjoyed in, to, or over, or in respect of any lands, and all the provisions of *The Railway Act* with reference to the expropriation of lands shall apply thereto.

Compensation for
damages.

10. The Company shall make compensation in the manner specified in *The Railway Act* to all persons interested for the damage sustained by them (if any) by reason of the exercise of the powers contained in the next preceding section, and the provisions of *The Railway Act* relating to damages and compensation and the ascertainment and payment thereof, shall apply in respect of the exercise of powers contained in the said section.

Future
General
Railway Act
to apply.

11. The exercise of the powers conferred by section 9 of this Act shall be subject to any general Railway Act hereafter passed which provides for the expropriation by railway companies of any easement, servitude, right of way or other privilege enjoyed in, to, or over, or in respect of any lands, or deals with the powers granted by the said section 9, and in any respect in which this Act is inconsistent with that Act, the latter shall prevail.

R.S., c. 37,
s. 216 to
apply.

12. Section 216 of *The Railway Act* shall apply to the exercise of the powers conferred by section 9 of this Act in so far as is necessary to enable the Company to carry the said powers into effect.

Agreement
with province
of N. B.
respecting a
certain line
of railway.

13. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into an agreement with the province of New Brunswick in respect of a line of railway extending from a point at or near Norton on the Intercolonial Railway to a point at or near Minto in the said province, and may lease the said railway, but the approval of the shareholders to such agreement and lease shall be sufficient if the provisions of section 6, chapter 47, of the statutes of 1890 are complied with.

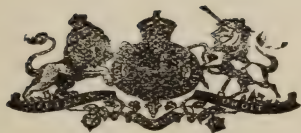
Agreement
with Quebec
Central Ry.
Co.

14. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into an agreement with the Quebec Central Railway Company, and may lease the railway and undertaking of the said Quebec Central Railway Company, but the approval of the shareholders of the Company to such agreement and lease shall

be sufficient if the provisions of section 6 of chapter 47 of the statutes of 1890 are complied with.

15. Section 4 of chapter 81 of the statutes of 1910 is Repealed.
repealed.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to
the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 79.

An Act to incorporate the Canadian Public Health Association.

[Assented to 1st April, 1912.]

WHEREAS Duncan MacKenzie Anderson, M.D., and Preamble.
Lester McDonnell Coulter, M.D., publishers of *The Public Health Journal*, and Charles J. C. O. Hastings, M.D., Andrew Jerome Harrington, M.D., and T. Aird Murray, C.E., were incorporated by letters patent, issued by the province of Ontario, as "The Canadian Public Health Association;" and whereas it is expedient to extend the objects of the said association by incorporating a new association with the same name but with more extensive objects to be exercised throughout the Dominion of Canada; and whereas a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Charles A. Hodgetts, M.D., Colonel G. Carleton Jones, M.D., Major Lorne Drum, M.D., Sir James A. Grant, K.C.M.G., M.D., the Honourable Clifford Sifton, F. Montizambert, I.S.O., M.D., J. G. Rutherford, C.M.G., H.A. R.C.V.S., Charles H. Higgins, D.V.S., and Peter H. Bryce, M.A., M.D., all of the city of Ottawa, in the province of Ontario; G. D. Porter, M.B., Charles J. C. O. Hastings, M.D., Duncan MacKenzie Anderson, M.D., Lester McDonnell Coulter, M.D., John W. S. McCullough, M.D., Helen MacMurchy, M.D., A. J. Harrington, M.D., T. Aird Murray, C.E., and A. E. Webster, M.D., D.D.S., all of the city of Toronto, in the province of Ontario; L. Laberge, M.
Incorporation.

D., Sir William C. Van Horne, K.C.M.G., E. P. Lachapelle, M.D., W. D. Lighthall, K.C., Ethel Hurlbatt, M.A., T. A. Starkey, M.D., Mrs. N. C. Smillie, J. E. Laberge, M.D., C. V. Valin, M.D., and Mrs. Grace Ritchie England, M.D., all of the city of Montreal, in the province of Quebec; J. D. Page, M.D., of the city of Quebec, in the province of Quebec; G. Macdonald, M.D., C.M., of the city of Calgary, and T. H. Whitelaw, B.A., M.B., of the city of Edmonton, in the province of Alberta; R.M. Simpson, M.D., P. B. Tustin, M.R.S.I., and A. J. Douglas, M.D., all of the city of Winnipeg, in the province of Manitoba; W. J. McKay, M.D., of the city of Saskatoon, and Maurice Macdonald Seymour, M.D., of the city of Regina, in the province of Saskatchewan; James Warburton, M.D., and Harry J. Johnson, M.D., both of the city of Charlottetown, in the province of Prince Edward Island; the Honourable G. W. Murray, of the city of Halifax, and Smith L. Walker, M.D., of the town of Truro in the province of Nova Scotia; E. O. Steeves, M.D., of the town of Moncton, and George G. Melvin, M.D., of the city of St. John, in the province of New Brunswick; W. T. Connell, M.D., of the city of Kingston, in the province of Ontario; and C. J. Fagan, M.D., of the city of Victoria, in the province of British Columbia, together with such other persons as hereafter become members of the Association, are hereby incorporated under the name of "The Canadian Public Health Association," hereinafter called "the Association."

Corporate
name.

Head office. **2.** The head office of the Association shall be in the city of Ottawa.

Objects. **3.** The objects of the Association shall be the development and diffusion throughout Canada of the knowledge of sanitation in all its branches, and all other matters and things appertaining thereto, or connected therewith.

Members. **4.** The membership in the Association shall be divided into three classes, as follows:

(a) Active members, who shall comprise the persons named in section 1 of this Act, and all others who are from time to time admitted to active membership under the provisions of the by-laws of the Association;

(b) Associate members;

(c) Honorary members.

By-laws. **5.** The Association, at its first general meeting and thereafter at any annual or special general meeting, may make rules, regulations and by-laws for the following purposes:

(1) The defining and regulating of the terms upon which persons may be admitted to active membership, associate membership, or honorary membership in the Association; the determining of the respective rights and privileges of

the different classes of members; the fees, subscriptions and dues to be imposed on the different classes of members;

(2) The constitution, powers, duties, quorum, term of office and method of election of the executive council and the executive committee; and the numbers, powers and duties of the officers of the Association;

(3) The time and place for holding the annual general meeting of the Association, which may be held at any place within the Dominion of Canada, and the notice to be given of the annual general meeting;

(4) The calling of meetings, regular and special, of the Association, of the executive council and of the executive committee, the notice to be given, the quorum, and the procedure in all things at any of such meetings;

(5) The administration and management of the affairs of the Association; and for this or any other purpose authorized by this Act, the Association may by by-law delegate any of its powers to the executive council, or the executive committee.

6. The first general meeting of the Association shall be held, within one year after the passing of this Act, at the city of Ottawa, or at such other place in Canada as is designated by the first executive committee. First general meeting.

7. At the first general meeting of the Association, and at each subsequent annual general meeting, the Association shall elect an executive council. Executive council.

8. The executive council shall elect in the manner provided by the by-laws from time to time in force an executive committee. Executive committee.

2. Charles A. Hodgetts, M.D., Colonel G. Carleton Jones, M.D., Major Lorne Drum, M.D., G. D. Porter, M.B., Charles J. C. O. Hastings, M.D., and L. Laberge, M.D., shall be the first executive committee of the Association, and until the first general meeting of the Association may exercise, on behalf of the Association, all the powers conferred by this Act on the Association. First executive committee.

9. The Association may acquire, hold and dispose of such real property as is necessary to carry out its objects, provided that the total value of such real property held at any time for the actual use of the Association shall not exceed two hundred and fifty thousand dollars. Holding of real property.

10. The Association may receive gifts of real property, grants of money, or subsidies in any form whatsoever, from the government of Canada, the government of any province of Canada, any municipality or any person; and shall apply the same in accordance with the conditions of the gift, Power to receive grants, etc.

gift, grant or subsidy, or, if there be no such condition, in accordance with the objects set forth in section 3 of this Act.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to
the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 80.

An Act respecting the Cap de la Madeleine Railway Company.

[Assented to 12th March, 1912.]

WHEREAS the Cap de la Madeleine Railway Company, Preamble.
hereinafter called "the Company," has by its petition
represented that it was incorporated by chapter 63
of the statutes of 1895 (First Session) of Quebec, and has Que. 1895,
(1st Sess.),
c. 63.
prayed that it be enacted as hereinafter set forth, and it
is expedient to grant the prayer of the said petition: There-
fore His Majesty, by and with the advice and consent of
the Senate and House of Commons of Canada, enacts as
follows:—

1. The railway which the Company is authorized to Declaratory.
construct, by chapter 63 of the statutes of 1895 (First
Session) of Quebec, is declared to be a work for the general
advantage of Canada.

2. Subject to the provisions of sections 361, 362 and Agreement
with C.P.R.
363 of *The Railway Act*, the Company may enter into an
agreement with the Canadian Pacific Railway Company
for any of the purposes specified in the said section 361,
and may lease its undertaking to the said Canadian Pacific
Railway Company, but the approval of the shareholders
of the said Canadian Pacific Railway Company to such
agreement and lease shall be sufficient if the provisions
of section 6 of chapter 47 of the statutes of 1890 are complied
with.

3. The head office of the Company shall be at the city Head office.
of Montreal.



2 GEORGE V.

CHAP. 81.

An Act to incorporate Capital Trust Corporation, Limited.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Michael J. O'Brien, contractor, William J. Poupore, Incorporation.
contractor, both of the city of Montreal; Michael J. Haney, contractor, John J. Seitz, manufacturer, Richard P. Gough, merchant, all of the city of Toronto; George P. Brophy, civil engineer, Charles A. McCool, lumberman, William H. McAuliffe, lumberman, Louis N. Poulin, merchant, John J. Lyons, contractor, Alphonse E. Provost, merchant, Denis Murphy, gentleman, all of the city of Ottawa; the Honourable William McDonald, of Cape Breton in the province of Nova Scotia, Senator, Edmund William Tobin, of the united counties of Richmond and Wolfe, in the province of Quebec, lumber dealer, the Honourable Peter McSweeney, of the county of Westmoreland, in the province of New Brunswick, Senator, and the Honourable Albert Edward McPhillips, of the city of Victoria, in the province of British Columbia, barrister-at-law, together with such other persons as become shareholders of the company, are hereby incorporated under the name of "Capital Trust Corporation, Limited," hereinafter called "the Com-
Corporate name.

Provisional directors. 2. The persons named in section 1 of this Act shall be the provisional directors of the Company, a majority of whom shall constitute a quorum for the transaction of business: and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls upon stock subscribed, and receive payments thereon. All moneys received on account of shares subscribed, or otherwise received on account of the Company, shall be forthwith deposited by the provisional directors to the credit of the Company in a chartered bank in Canada and such moneys may be withdrawn only for the purposes of the Company. The provisional directors may also do all acts necessary for the proper organization of the Company.

Powers.

Capital stock. 3. The capital stock of the Company shall be two million dollars, divided into twenty thousand shares of one hundred dollars each.

Head office. 4. The head office of the Company shall be at the city of Ottawa, in the county of Carleton and province of Ontario, but the directors may from time to time establish branch offices and local advisory boards at other places in Canada or elsewhere.

Branch offices.

Commencement of business. 5. The Company shall not commence business until at least two hundred and fifty thousand dollars of the capital stock have been bona fide subscribed, and one hundred thousand dollars paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act.

Directors. 6. The affairs of the Company shall be managed by a board of directors, and the number of the members thereof not less than five nor more than twenty-five shall be fixed by by-law of the directors and confirmed by a resolution of the shareholders of the Company called for that purpose. A majority of the members of the board of directors shall form a quorum for the transaction of business.

Number.

Qualification. 2. No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares upon which all calls due have been paid; and if any director makes an assignment for the benefit of the creditors, or comes within the operation of any insolvent law then in force, or ceases to hold twenty shares in his own right, he shall *ipso facto* cease to be a director, and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Election, and term of office. 3. If the by-laws of the Company so provide, one-third of the directors may be elected in the first instance for one year, one-third for two years, and one-third for three years, and directors thereafter to be elected at any annual meeting to fill

fill the place of any retiring directors may, if provided as aforesaid, hold office for a term of three years.

4. The Company may by by-law provide that a resolution in writing signed by all the directors shall be as valid as if it had been passed at a meeting of the directors.

Validity of resolution signed by all directors.

7. Calls on shares may be made by the directors at such times and in such proportions as they deem proper, but no call shall exceed ten per cent, and no call shall be made at a less interval than one month from the last preceding call.

Calls on stock

8. The provisional directors or the directors may from time to time pass by-laws limiting and restricting the transferability of shares of the Company, whether fully paid or not: Provided, however, that such restriction and limitation shall not attach to any shares unless a reference to the by-law imposing such restriction or limitation is made in the certificate thereof, nor unless the holder of such shares has express notice of such restriction or limitation.

By-laws as to transferability of shares.

Proviso.

9. The Company may—

(a) accept and execute trusts of every description and nature entrusted to the Company by any government, corporation or person, or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, administrator, trustee, accountant, arbitrator, adjuster, auditor, receiver, assignee, liquidator, sequestrator, guardian, curator or committee of a lunatic; and perform the duties of such offices or trusts as fully and completely as any person so appointed could do; take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established, or agreed upon; receive moneys for investment, and allow interest thereon for a reasonable time until invested, and guarantee repayment of the principal or payment of the interest, or both, of any moneys so entrusted to the Company, on such terms and conditions as are agreed upon; act as agents for countersigning, registering, or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to issue and make the said issue, and hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government or corporate body;

Business of Company.

Trust money.

Trustee.

(b) act as agent or attorney for winding up estates, receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or

Agent.

evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

Custodian.

(c) act as the custodian, upon such terms as are agreed upon, of any jewellery, plate and other valuable property, and of deeds, wills, debentures, and other evidence of title or indebtedness;

Management of estates.

(d) act as investing and managing agent of estates and properties for and on behalf of executors, administrators and trustees, or other persons;

Rights, privileges and concessions from governments.

(e) obtain from any government any rights, privileges and concessions which the Company thinks it desirable to obtain; and carry out, exercise and comply with any such rights, privileges and concessions not inconsistent with the provisions of this Act or of any other Act of the Parliament of Canada;

Real estate which may be held.

(f) hold such real estate as is necessary for the transaction of its business not exceeding the net yearly value of fifteen thousand dollars, and any further real estate of whatever value which, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and from time to time sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition; unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Investment of trust moneys.

Mortgages of real estate.

10. The Company shall invest trust moneys as follows—

(a) upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral security thereto: Provided, however, that investments in any country other than Canada shall be limited to moneys received from such country;

Stock and securities.

(b) in the government securities of Canada, or of any province of Canada, or of the United Kingdom, or of any of the colonies or dependencies thereof, or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in Canada other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceeding two cents on the dollar exclusive of school tax, or in the bonds and debentures of any school district in any such provinces;

Securities specified by trusts.

(c) in such securities as are authorized by the terms of the trust;

and the Company may manage, sell or dispose of such investments as the terms of the trust require.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed, unless the will, deed, order, or instrument creating the trust provides otherwise.

Existing securities.

11. The moneys and securities held by the Company in trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that trust moneys shall not at any time form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent, and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith: Provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money, in the manner provided by section 10 of this Act, in a general trust fund of the Company: Provided always that the total amount of money of any one trust invested in the said general trust fund shall not, at any time, exceed three thousand dollars.

Trust funds to be kept separate.

Investment of funds.

12. Moneys, properties and securities received or held by the Company upon trust or as agent shall not be liable for the debts or obligations of the Company.

Trust property not liable for debts of Company.

13. The Company may invest any moneys forming part of its own capital or reserve or accumulated profit thereon in any of the securities mentioned in section 10 of this Act, or on the security of real estate in Canada, or any interest in such real estate, or on the security of the debentures, bonds, stock or other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province, as the directors deem expedient.

Investment of moneys of Company.

14. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such court, judge, officer, or person may, from time to time, require the Company to render an account of its administration

Accounts to be rendered by Company when made trustee by court.

of the particular trust or office to which it has been appointed and may, from time to time, appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held; and such person shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or officer thereof.

Note issue
prohibited.

15. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer, or any promissory note intended to be circulated as money, or as the note of a bank, or to engage in the business of banking or of insurance.

Banking
prohibited.

Annual state-
ment to be
given to
Minister of
Finance.

16. The Company shall prepare, and annually transmit to the Minister of Finance, a statement in duplicate, verified by the oath of the president or vice-president and of the manager or secretary, setting forth the capital stock of the Company, the proportion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statements shall be made up to the thirty-first day of December in each year.

Penalty for
neglect.

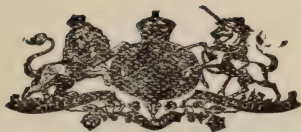
2. If the Company, for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty.

R. S., c. 79.

17. Part II. of *The Companies Act*, except sections 125, 141 and 165 thereof, shall apply to the Company.

Forfeiture of
charter by
non-user.

18. The powers granted by this Act shall expire, and this Act shall cease to be in force, at the end of two years from the passing thereof, except for the purpose of winding up the Company, unless the Company goes into actual operation within such two years.



2 GEORGE V.

CHAP. 82.

An Act respecting *La Compagnie du Chemin de fer de Colonisation du Nord*.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore 1899, c. 62;
1902, c. 55;
1907, c. 78.
His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. *La Compagnie du Chemin de fer de Colonisation du Nord* may continue the construction of its railway from a point at or near Labelle, thence in a westerly direction to the village of Rapide de L'Orignal (now called Mont Laurier), thence in a western direction to a point at or near Lake Temiscamingue, in the county of Pontiac, authorized by section 7 of chapter 62 of the statutes of 1899, and shall, within two years after the passing of this Act, expend thereon (including expenditure already made) an amount equal to fifteen per cent of its capital stock; and may complete the said railway and put it in operation within five years after the passing of this Act, and if such expenditure is not so made, or if the said railway is not completed and put in operation within the said five years, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted. Extension of time for construction.

2. Section 6 of chapter 55 of the statutes of 1902, and Repeal.
chapter 78 of the statutes of 1907, are repealed.



2 GEORGE V.

CHAP. 83.

An Act respecting certain patents of the Continental Can Company.

[Assented to 1st April, 1912.]

WHEREAS the Continental Can Company, a corporation organized and existing under the laws of the state of New Jersey and having its principal place of business at Baltimore, in the state of Maryland, one of the United States of America, has by its petition represented that it is the owner of patents granted by the Dominion of Canada, No. 120,787, granted on September 28th, 1909, for devices for feeding cans to an operating mechanism; No. 121,640, granted on November 2nd, 1909, for methods for cutting discs; No. 121,891, granted on November 16th, 1909, for head seaming mechanism for can bodies; No. 122,997, granted on December 28th, 1909, for die cutting machines; No. 122,998, granted on December 28th, 1909, for method of cutting discs from sheet metal; No. 126,470, granted on June 1st, 1910, for lap-seam body former; No. 126,691, granted July 5th, 1910, for machines for making cans; and No. 124,943, granted on April 24th, 1910, for can centering and truing device; and whereas the said corporation has by its said petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the Commissioner of Patents may, within three months after the passing of this Act, receive petitions for the making of, and may make, orders that

Power to
Commis-
sioner of
Patents to
order that
certain
conditions

shall apply
instead of
certain
others.

R. S., c. 69,
ss. 38, 44.

that all or any of the said patents, instead of being subject to the conditions set forth in paragraph (a) of section 38 of *The Patent Act*, shall be subject to the conditions set forth in paragraphs (a), (b), (c) and (d) of section 44 of *The Patent Act*.

As to patents
already void.

2. Nothing in this Act contained shall be taken to render valid any patent mentioned in the preamble, if at the date of the passing of this Act, such patent had become void for failure to comply with the provisions of section 38 of *The Patent Act*.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 84.

An Act for the relief of David George Davidson.

[Assented to 1st April, 1912.]

WHEREAS David George Davidson, of the city Preamble
of Toronto, in the province of Ontario, has by his petition alleged, in effect, that on the ninth day of May, A.D. 1909, at the said city of Toronto, he was lawfully married to Jennie Brown; that she was then of the said city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that on or about the twenty-first day of December, A.D. 1909, she deserted him at the town of Barrie, in the said province, and, between that date and the month of July, A.D. 1911, at divers places, committed adultery with a man whose name is unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between David George Davidson and Jennie Brown, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said David George Davidson may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Jennie Brown had not been solemnized.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 85.

An Act for the relief of James Denny.

[Assented to 12th March, 1912.]

WHEREAS James Denny, of the city of Brandon, in the Preamble.
province of Manitoba, has by his petition alleged, in effect, that on the seventh day of July, 1902, at the city of Manchester, in the county of Manchester, England, he was lawfully married to Isabella Mount; that she was then of the town of Hulme, in the county of Manchester, England, a spinster; that his legal domicile was then in England and is now in Canada; that at the city of Edmonton, in the province of Alberta, between the end of June, 1910, and the beginning of November, 1910, she lived with one Willoughby Glass as wife with husband and committed adultery with the said Willoughby Glass; that he has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between James Denny and Isabella Mount, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said James Denny may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Isabella Mount had not been solemnized.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 86.

An Act respecting the Dominion Atlantic Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1895, c. 47;
1898, c. 8;
1900, c. 59;
1905, c. 85;
1908, c. 101;
1910, c. 88.

1. The Dominion Atlantic Railway Company may commence the construction of the line of railway authorized by section 1 of chapter 101 of the statutes of 1908 within two years after the passing of this Act, and may complete the said line of railway and put it in operation within five years after the passing of this Act; and if, within the said periods respectively, the said line of railway is not so commenced, or is not so completed and put in operation, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Extension of
time for
construction.

2. The Company may issue securities upon its railway to an amount not exceeding in all thirty thousand dollars per mile of railway constructed or under contract to be constructed.

Issue of
securities.

3. Chapter 88 of the statutes of 1910 is repealed.

Repeal.



2 GEORGE V.

CHAP. 87.

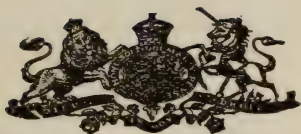
An Act respecting the Dominion Guarantee Company, Limited, and to change its name to "The Dominion Gresham Guarantee and Casualty Company."

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is 1893, c. 78;
expedient to grant the prayer of the said petition: There- 1894, c. 121;
fore His Majesty, by and with the advice and consent of 1901, c. 95;
the Senate and House of Commons of Canada, enacts as 1903, c. 113;
follows:— 1908, c. 102.

1. The name of the Dominion Guarantee Company, Change of
Limited, hereinafter called "the Company," is changed to name.
"The Dominion Gresham Guarantee and Casualty Com-
pany," but such change of name shall not in any way impair,
alter or affect the rights or liabilities of the Company, nor in
any way affect any suit or proceeding now pending, or judg-
ment existing, either by, or in favour of, or against the Existing
Company, which, notwithstanding such change in the rights saved.
name of the Company, may be prosecuted, continued,
completed and enforced as if this Act had not been passed.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 88.

An Act to consolidate and amend the Acts relating to the Dominion Gresham Guarantee and Casualty Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Acts enumerated in the schedule to this Act Repeal.
are hereby repealed and the provisions of this Act are substituted therefor.

2. The Dominion Gresham Guarantee and Casualty Interpreta-
Company, formerly "The Dominion Guarantee Company, tion.
Limited," is hereinafter called "the Company."

3. The Company may—
(a) make contracts of guarantee against loss or damage, Business.
by reason of burglary, house breaking, theft or robbery, Burglary
to property of any kind whether at rest or in transit from insurance.
place to place; and for such purpose may issue policies in Form of
such form as it determines; policies.
(b) carry on the following businesses as defined by Other kinds
The Insurance Act, 1910, namely:— of insurance.
(i) guarantee insurance;
(ii) sickness insurance;

	(iii) accident insurance; (iv) automobile insurance.
Premiums.	2. The Company may charge such premium for any risk undertaken by it as is agreed upon by the contract of insurance against such risk.
Powers for protection of property.	4. The Company may, at any places in Canada where the Company sees fit so to do, for the purpose of protecting property against loss or damage,—
Alarm systems.	“(i) construct, install, equip, maintain, and operate by electrical or any other means, whether inside or outside of buildings, any system of detection, alarm or communication, by electric wires or otherwise;
Patrol services.	“(ii) establish, equip, maintain and operate services of patrol and watch by persons wearing either uniform or ordinary clothing;
Plant, etc.	“(iii) manufacture, acquire, and dispose of all plant, equipment, implements, instruments, articles, devices and things necessary or expedient for such systems and services.
Messenger services.	5. The Company may establish, acquire, maintain and operate messenger and attendance services.
Safety vaults.	6. The Company may establish safety vaults, in connection with its business, for the purpose of receiving, guarding, caring for, and guaranteeing against loss or damage any property deposited with it.
Consent of municipalities and conditions as to works on highways, etc.	7. Section 247 of <i>The Railway Act</i> shall apply to the Company and to any works in course of construction, constructed, acquired, maintained or operated for any of the purposes mentioned in sections 4, 5 and 6 of this Act.
R.S., c. 37, s. 247.	2. Nothing in this Act contained shall be deemed to authorize the Company, its servants, workmen or agents, to exercise any right of expropriation or to enter upon any private property for the purpose of constructing, maintaining or repairing any of its works, without the previous assent of the owner or occupant of the property for the time being.
No expropriation.	
Consent of owner to enter on property.	
Appliances and structures.	8. The Company may construct, acquire, maintain, operate, and, when no longer required for the purposes of the Company, dispose of any and all patents, appliances and structures used or to be used in connection with any of the business mentioned in sections 4, 5 and 6 of this Act.
Capital stock.	9. The capital stock of the Company shall be two hundred thousand dollars, divided into shares of one hundred dollars each; but, after the whole amount of the capital stock has
Increase.	been

been subscribed and paid-up the Company may increase the capital stock to an amount not exceeding one million dollars, provided that such increase and the amount thereof has been first sanctioned by two-thirds, in value, of the shareholders present in person or represented by proxy at a special general meeting of the shareholders duly called for the purpose of considering the same,—at which meeting shareholders representing at least two-thirds in value of the original stock are present in person or represented by proxy.

Consent of shareholders.

10. The annual general meeting of the shareholders shall be held on the third Wednesday in February in each year, or at such other date in each year as is fixed by by-law passed at any annual general meeting or at any special meeting of shareholders duly called for that purpose.

Annual meeting.

11. At such meeting the subscribers for the capital stock who have paid all calls due on their shares shall elect the directors of the Company.

Election of directors.

2. The number of directors shall be not less than five nor more than nine, as may be determined by by-law of the Company.

Number.

3. No person shall be elected or continue to be a director unless he is a shareholder holding at least ten shares of stock and has paid all calls due thereon.

Qualification.

4. A majority of the directors shall be a quorum.

Quorum.

12. The head office of the Company shall be in the city of Montreal.

Head office.

13. If authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time,—

Borrowing Powers.

(a) borrow money upon the credit of the Company;

(b) limit or increase the amount to be borrowed.

2. Nothing in this section contained shall limit or restrict the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company.

Limitation as to bills and notes.

14. The Company may, by agreement, at any time amalgamate with any company empowered to carry on a business like or similar, in whole or in part, to that of the Company, and may acquire the stock of such company, or the plant, property, assets and goodwill of any person carrying on, or empowered to carry on, a business like or similar, in whole or in part, to that of the Company;

Power to amalgamate with similar companies.

Approval of
shareholders.

and the said stock, plant, property, assets and good-will may be paid for wholly or partly in cash, or wholly or partly in paid up or partly paid up stock of the Company, or wholly or partly in debentures of the Company, or otherwise; and the Company may undertake, assume, guarantee and pay off any of the obligations, liabilities, contracts and engagements of any company it amalgamates with, or whose stock it acquires, or of any person, whose plant, property, assets and good-will it acquires; provided that such agreement has been first approved by two-thirds of the votes of a special general meeting of the shareholders duly called for the purpose of considering it, at which meeting shareholders representing at least two-thirds in value of the stock are present or represented by proxy, and that such agreement has also received the sanction of the Governor in Council.

1910, c. 32 to
apply.

15. *The Insurance Act, 1910*, shall apply to the Company.

Application
of R.S., c. 79.

16. Notwithstanding anything contained in *The Companies Act*, Part II. thereof, except sections 125, 165 and 168 thereof, in so far as it is not inconsistent with any of the provisions of this Act, shall apply to the Company.

SCHEDULE.

ACTS REPEALED.

1893.	Chapter 78	An Act to incorporate the Dominion Burglary Guarantee Company (Limited).
1894.	Chapter 121	An Act respecting the Dominion Burglary Guarantee Company (Limited.)
1901.	Chapter 95	An Act respecting the Dominion Burglary Guarantee Company (Limited).
1903.	Chapter 113	An Act respecting the Dominion Burglary Guarantee Company, Limited, and to change its name to "The Dominion Guarantee Company, Limited."
1908.	Chapter 102	An Act respecting the Dominion Guarantee Company, Limited.

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2 GEORGE V.

CHAP. 89.

An Act to incorporate Dominion Trust Company.

[Assented to 1st April, 1912.]

WHEREAS Dominion Trust Company, Limited, has by Preamble.
its petition represented that it is incorporated by
letters patent of the province of British Columbia, sub-
sequently confirmed and extended by chapter 59 of the
statutes of 1908 of British Columbia, for the purposes and B. C., 1908,
with the powers in the said letters patent and Act men- c. 59.
tioned, and it is expedient that it be enacted as hereinafter
set forth: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. William H. P. Clubb, merchant, William D. Brydone- Incorporation.
Jack, physician, Francis R. Stewart, merchant, William
R. Arnold, managing director, John R. Gray, gentleman,
James Stark, merchant, Ellis W. Keenleyside, insurance
agent, William Henderson, wholesale druggist, Herbert
W. Riggs, physician, and James Ramsay, manufacturer,
all of the city of Vancouver, in the province of British
Columbia; Thomas R. Pearson, manager, and George E.
Drew, physician, both of the city of New Westminster in the
said province; David W. Bole, wholesale druggist, John
Pitblado, banker, and Peter Lyall, the elder, contractor, all
of the city of Montreal, in the province of Quebec; and
Charles W. Twelves, financier, of the city of Antwerp,
Belgium, being the directors of "Dominion Trust Company, Corporate
Limited," mentioned in the preamble, together with such name.
persons as become shareholders in the company hereby
incorporated, are incorporated under the name of "Dominion
Trust Company," hereinafter called "the Company."

Provisional
directors.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company, a majority of whom shall be a quorum for the transaction of business, and they may forthwith open stock books, procure subscriptions of stock for the undertaking, make calls upon stock subscribed and receive payments thereon, and shall deposit in a chartered bank in Canada all moneys received by them on account of the stock so subscribed for, or otherwise received by them on account of the Company, and may withdraw the same for the purposes of the Company only, and may do generally what is necessary to organize the Company.

Capital stock.

3. The capital stock of the Company shall be five million dollars, divided into fifty thousand shares of one hundred dollars each.

Head office.

4. The head office of the Company shall be in the city of Vancouver in the province of British Columbia, and the directors may establish branch offices and local advisory committees at such other places in Canada or elsewhere as they determine.

Branch
offices.

Commence-
ment of
business.

5. The Company shall not commence business until at least two hundred and fifty thousand dollars of stock have been bona fide subscribed and one hundred thousand dollars paid thereon in cash into the funds of the Company, to be appropriated only for the purposes of the Company under this Act.

Directors.

6. The affairs of the Company shall be managed by a board of not less than seven nor more than twenty-one directors, a majority of whom shall be a quorum.

Qualifica-
tion.

2. No shareholder shall be eligible for election as a director unless he holds in his own right at least twenty shares upon which all calls due have been paid; and if any director makes an assignment for the benefit of creditors, or comes within the operation of any insolvent law then in force, or ceases to hold twenty shares in his own right, he shall *ipso facto* cease to be a director, and his place may be filled for the remainder of the term by the directors from among the qualified shareholders of the Company.

Resolution
signed by all
directors.

3. The Company may, by by-law, provide that a resolution in writing signed by all the directors shall be as valid as if it had been passed at a meeting of the directors.

Calls.

4. Calls on stock may be made by the directors at such times and in such proportions as they deem proper.

Business.

7. The Company may—

Trust money.

(a) receive money in trust for the purposes herein specified, and invest and accumulate it at such lawful rates of interest as can be obtained therefor;

(b) accept and execute all such trusts of every description and nature as are entrusted to it by any government or person, or committed or transferred to it by any order, judgment or decree of any court in Canada or elsewhere; execute the offices of executor, administrator, trustee, accountant, arbitrator, adjustor, auditor, receiver, assignee, liquidator, sequestrator, official guardian, guardian, curator or committee of a lunatic, and perform the duties of such offices or trusts as fully and completely as any person so appointed could do; receive and manage any sinking fund on such terms as may be agreed upon; and in all cases where application is made to any court, judge, officer or person having authority to make an appointment to any such office or trust, the Company, with its consent, may be appointed to hold such office or trust, with the substitution, if necessary, for any obligations required from any private person appointed to such office or trust, of such obligations as are applicable to corporations, and with such remuneration as may be fixed; take, hold and accept by grant, assignment, transfer, deed, will, devise, bequest, or otherwise, any real or personal estate upon any lawful trusts, and perform and execute them according to the terms and for the purposes declared, established or agreed upon; accept from, and execute trusts for, married women in respect of their separate property, real or personal, and act as agent for them in the management of such separate property; guarantee repayment of the principal or payment of the interest, or both, of any moneys entrusted to the Company for investment, on such terms and conditions as are agreed upon; act as agent for countersigning, registering or otherwise ascertaining and certifying to the genuineness of any issue of stock, bonds, debentures or other securities for money of any government, municipal or other corporate body duly authorized to make the said issue, and may hold the said securities as agent or trustee; and act generally as fiscal or other agent for any such government or corporate body;

Trustee.

(c) act as agent or attorney for winding-up estates, receiving or collecting any principal, interest, rents, coupons, mortgages, debts, debentures or other securities or evidences of debt or demands of any nature, and in the sale or purchase of any real or personal property, and generally act in all matters in the nature of a trust or general agency;

Agent.

(d) be the custodian on such terms as are agreed upon of jewellery, plate and other movable property of any kind, and of deeds, wills, policies of insurance, bonds, debentures, securities for money, or other valuable papers and documents and guarantee the safe-keeping of the same, and lease and hire, for such compensation and remuneration and upon such terms and conditions as may be agreed upon, its vaults, safes and receptacles;

Custodian.

Management of estates. (e) act as investing and managing agent of estates and properties for and on behalf of executors, administrators and trustees or other persons;

Remuneration. (f) receive and collect such remuneration for its services as is agreed upon or as is fixed or allowed by law, and all usual and customary charges, costs and expenses;

Investments. (g) receive moneys in trust for investment and allow interest thereon for a reasonable time until invested, and advance moneys to protect any estate, trust or property entrusted to it as aforesaid, and charge lawful interest upon any such advances: Provided that nothing herein shall be held either to restrict or to extend the powers of the Company as trustee or agent under the terms of any trust or agency that may be conferred upon it;

Securities for debts. (h) take securities of such nature as are deemed expedient for any moneys owing to the Company;

Rights, privileges and concessions from governments. (i) obtain from any government any rights, privileges and concessions which the Company thinks it desirable to obtain, and carry out, exercise and comply with any such rights, privileges and concessions, not inconsistent with the provisions of this Act or of any other Act of the Parliament of Canada;

Real estate which may be held. (j) hold such real estate as is necessary for the transaction of its business, not exceeding the net yearly value of fifteen thousand dollars, and any further real estate of whatever value which, being mortgaged or hypothecated to it, is acquired by it for the protection of its investments, and sell, mortgage, lease or otherwise dispose thereof; but the Company shall sell any real estate acquired in satisfaction of any debt due to itself, other than as trustee or in an official capacity, within seven years after such acquisition, unless such time is extended by order of the Governor in Council, otherwise such real estate shall revert to His Majesty for the use of Canada.

Investment of trust moneys. 8. The Company shall invest trust moneys as follows, and may manage, sell or dispose of such investments as the terms of the trust require,—

Mortgages of real estate. (a) upon first mortgages of or hypothecs upon improved freehold property of ample value in Canada, the British Empire or the United States, and may accept personal property or covenants by way of collateral security thereto: Provided, however, that investments in any country other than Canada shall be limited to moneys received from such country;

Stock and securities. (b) in the stock, funds or government securities of Canada, or of any province of Canada or of the United States, or guaranteed thereby respectively, or in bonds or debentures of any municipal corporation in any such province other than municipal corporations having a population of less than two thousand or an annual rate of assessment exceed-

ing two cents on the dollar exclusive of school tax, or in the bonds and debentures of any school district in any such province, or in the public stock, funds or government securities of the United Kingdom, or of any of the colonies or dependencies thereof;

(c) in such securities as are authorized by the terms of the trust. Securities specified by trust.

2. Nothing in this section shall prevent the Company from holding securities of any other kind which form or are part of any trust estate which comes into its hands; and it may hold such securities subject to the trusts and legal obligations attached thereto; but in the case of the realization of any portion thereof the proceeds shall be invested as herein directed, unless the will, deed, or instrument creating the trust provides otherwise. Existing securities.

9. The moneys and securities of any such trust shall always be kept distinct from those of the Company, and in separate accounts, and so marked for each particular trust as always to be distinguished from any other in the registers and other books of account to be kept by the Company, so that at no time shall trust moneys form part of or be mixed with the general assets of the Company; and the Company shall, in the receipt of rent and in the overseeing and management of trusts and other property, keep distinct records and accounts of all operations connected therewith: Provided that in the management of the money and property held by the Company as trustee, or in any other official capacity, under the powers conferred by this Act, the Company may, unless the authority making the appointment otherwise directs, invest the trust money in the manner provided by section 8 of this Act in a general trust fund of the Company; provided always that the total amount of money of any one trust invested in the said general trust fund shall not, at any time, exceed three thousand dollars. Trust funds to be kept separate.

10. The Company may invest any money forming part of its own capital or reserve or accumulated profit thereon in any of the securities mentioned in section 8 of this Act, or on the security of real estate in Canada, or any interest in such real estate, or on the security of the debentures, bonds, stock and other securities of any chartered bank or company incorporated by or under the authority of the Parliament of Canada, or of the legislature of any province, as the directors deem expedient. Investment of moneys of Company.

11. In case of the appointment of the Company to any trust or office by any court in Canada, or any judge, officer or person having lawful authority in that behalf, such court, judge, officer or person may require the Company to render an account of its administration of the particular trust. Accounts to be rendered by Company when made trustee by court.

trust or office to which it has been appointed, and may appoint a suitable person to investigate the management of such particular trust by the Company, and as to the security afforded to those by or for whom its engagements are held, and such person shall report thereon to such court, judge, officer or person, and the expenses of such investigation shall be borne as ordered by such court, judge or officer thereof.

Note issue
prohibited.

12. Nothing in this Act shall be construed to authorize the Company to issue any note payable to bearer, or any promissory note intended to be circulated as money, or as the note of a bank, or to engage in the business of banking or of insurance.

Banking
prohibited.

Annual
statement
to be given
to Minister
of Finance.

13. The Company shall prepare, and annually transmit to the Minister of Finance, a statement in duplicate, verified by the oath of the president or vice-president and of the manager or secretary, setting forth the capital stock of the Company, the portion thereof paid up, the assets and liabilities of the Company, the trust property held by it, and such other details as the Minister requires, and such statement shall be made up to the thirty-first day of December in each year.

Penalty for
neglect.

2. If the Company, for the space of one month, neglects or refuses to comply with the written request of the Minister of Finance to make the statement to him required by this section, the Company shall incur a penalty not exceeding twenty dollars for every day during which such default continues, and every director and officer of the Company who knowingly and wilfully authorizes or consents to such default shall incur the like penalty.

Acquisition
of business of
Dominion
Trust Co.,
Ltd., and
Dominion of
Canada
Trusts Co.

14. The Company may acquire the stock and the whole or any part of the business, rights and property of Dominion Trust Company, Limited, (mentioned in the preamble) and of the Dominion of Canada Trusts Company incorporated by chapter 84 of the statutes of 1895, conditional upon the assumption by the Company of such duties, obligations and liabilities of the said companies with respect to the business, rights and property so acquired as are not performed or discharged by the said companies.

Acquisition of
business of
other
companies.

15. The Company may acquire the whole or any part of the business, rights and property of any other companies within the legislative power of the Parliament of Canada, carrying on any business which the Company is authorized to carry on, conditional upon the assumption by the Company of the duties, obligations and liabilities of every such company with respect to the business, rights and property so acquired as are not performed or discharged by such

company: Provided that no such agreement shall take effect until it has been submitted to and approved of by the Treasury Board.

16. Part II. of *The Companies Act*, except sections 125, R. S., c. 79. 141 and 165 thereof, shall apply to the Company.

17. The powers granted by this Act shall expire, and this Act shall cease to be in force, for all purposes except ^{Forfeiture of charter} by non-user. for the winding up of the Company, at the end of two years from the passing thereof unless the Company goes into actual operation within such two years.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 90.

An Act for the relief of Edith Harriet Duffy.

[Assented to 1st April, 1912.]

WHEREAS Edith Harriet Duffy, presently residing at Preamble.
the city of Toronto, in the province of Ontario, wife
of Charles Rupert Duffy of the said city of Toronto, has by
her petition alleged, in effect, that they were lawfully mar-
ried on the twenty-second day of December, A.D. 1908, at
the said city of Toronto, she then being Edith Harriet Harris,
spinster; that the legal domicile of the said Charles Rupert
Duffy was then and is now in Canada; that at the said city
of Toronto, during the latter part of the year, A.D. 1909,
he committed adultery with one Florence Beatrice Fielding;
that the said Edith Harriet Duffy has not connived at nor
condoned the said adultery; that there has been no collusion,
directly or indirectly, between him and her in the proceed-
ings for divorce; and whereas by her petition she has prayed
for the passing of an Act dissolving her said marriage,
authorizing her to marry again, and affording her such other
relief as is deemed meet; and whereas the said allegations
have been proved, and it is expedient that the prayer of her
petition be granted: Therefore His Majesty, by and with
the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. The said marriage between Edith Harriet Harris and Charles Rupert Duffy, her husband, is hereby dissolved, Marriage dissolved.
and shall be henceforth null and void to all intents and pur-
poses whatsoever.

2. The said Edith Harriet Harris may at any time here- Right to marry again.
after marry any man whom she might lawfully marry if the
said marriage with the said Charles Rupert Duffy had not
been solemnized.



2 GEORGE V.

CHAP. 91.

An Act respecting the Erie, London and Tillsonburg Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore 1906, c. 90;
His Majesty, by and with the advice and consent of the 1908, c. 106;
Senate and House of Commons of Canada, enacts as follows:— 1910, c. 96.

1. The Erie, London and Tillsonburg Railway Company Time for construction of railway extended.
may, within two years after the passing of this Act, commence the construction of its railway, and expend fifteen per cent of the amount of its capital stock thereon; and may, within five years after the passing of this Act, complete the said railway and put it into operation; and if, within the said periods respectively, the said railway is not commenced and such expenditure is not so made, or the said railway is not so completed and put in operation, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

2. Chapter 96 of the statutes of 1910 is repealed.

Repeal.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 92.

An Act respecting the Esquimalt and Nanaimo Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1884, c. 6;
1886, c. 15;
1888, c. 89;
1905, c. 90;
1906, c. 92;
1908, c. 107;
1910, c. 97.

1. The Esquimalt and Nanaimo Railway Company, hereinafter called "the Company," may lay out, construct and operate a branch line of railway from a point at or near the north fork of Oyster River, on the railway authorized to be constructed by paragraph (a) of section 2 of chapter 92 of the statutes of 1906, thence in a northerly and north-westerly direction to a point at or near Hardy Bay on the west coast of Vancouver Island.

Line of
railway
authorized.

2. The Company may commence the construction of any of the branch lines of railway authorized by section 9 of chapter 14 of the statutes of 1884 of British Columbia, by paragraphs (a) and (d) of section 2 of chapter 92 of the statutes of 1906 of Canada, and by section 1 of this Act, within two years after the passing of this Act, and may complete any of the said branch lines of railway and put them in operation within five years after the passing of this Act; and if any such branch line of railway is not so commenced, or is not so completed and put in operation, within the said periods respectively, the powers of construction

Time for
construction
of railways
limited.

conferred upon the Company by Parliament shall cease and be null and void as respects so much of such branch line of railway as then remains uncompleted.

Construction
of certain
lines of
railway
limited.

3. The Company shall not, after the passing of this Act, construct any portion of any of the branch lines of railway which, by chapter 14 of the statutes of 1884 of British Columbia, it was authorized to build to settlements on the east coast of Vancouver Island, unless the Company is first authorized so to do by the Governor in Council.

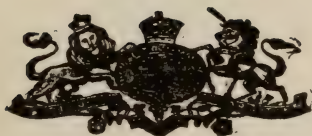
Issue of
securities.

4. The limit to the amount of the securities issued by the Company in respect of its railway shall not exceed fifty thousand dollars per mile of its railway, and such securities may only be issued in proportion to the length of railway constructed or under contract to be constructed.

Repeal.

5. Section 3 of chapter 92 of the statutes of 1906 and chapter 107 of the statutes of 1908 are repealed.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 93.

An Act respecting the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Preamble.
1898, c. 91;
1901, c. 101;
1908, c. 108.

1. Section 6 of chapter 91 of the statutes of 1898, intituled *An Act to incorporate the Subsidiary High Court of the Ancient Order of Foresters in the Dominion of Canada*, is hereby repealed and the following substituted therefor:—

1898, c. 91,
new s. 6.

“**6.** The Society may invest its funds as provided by sections 58 to 60, both inclusive, of *The Insurance Act*, 1910, so far as the said sections are applicable to the Society.”

Investment
of funds.

2. Section 4 of the said chapter 91 is amended by striking out the words “twenty thousand” in the third line of the said section and by substituting therefor the words “one hundred thousand.”

Power to hold
real property.

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2 GEORGE V.

CHAP. 94.

An Act respecting the Gatineau and Ungava Railway Company, and to change its name to "The Ottawa and Ungava Railway Company."

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 1910, c. 102.

1. The name of the Gatineau and Ungava Railway Company, hereinafter called "the Company," is changed to "The Ottawa and Ungava Railway Company," but such change in name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any wise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed. Name changed. Saving of rights.

2. The construction of the railway of the Company, may be commenced, and fifteen per cent of the amount of its capital stock expended thereon, within two years after the passing of this Act, and the railway may be completed and put in operation within five years after the passing of this Act; and if the railway is not so commenced and such expenditure is not so made, or is not so completed and put in operation, within the said respective periods, the powers of construction conferred upon the Company by Parliament shall cease and be null and void, as respects so much of the railway as then remains uncompleted. Time for construction of railway limited.



2 GEORGE V.

CHAP. 95.

An Act respecting the Grand Trunk Pacific Railway Company.

[Assented to 5th December, 1911.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

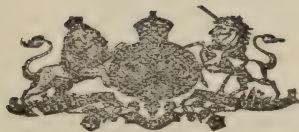
Preamble.

1. Notwithstanding the provisions of section 35 of chapter 122 of the statutes of 1903, as the said section is enacted by section 6 of chapter 80 of the statutes of 1904, the Grand Trunk Pacific Railway Company may complete the Prairie Section and the Mountain Section respectively of the Western Division of the National Transcontinental Railway within such time as may hereafter be fixed by the Governor in Council under and in accordance with the provisions of an Act passed at the present session, intituled "*An Act respecting the National Transcontinental Railway*," and the said company has and shall continue to have, as respects the now uncompleted portions of the said Prairie Section and Mountain Section respectively, all the powers heretofore conferred upon it by Parliament: Provided, however, that if the said Prairie Section and Mountain Section respectively are not so completed and put in operation within the time so fixed by order in council, the powers conferred upon the said company by Parliament shall cease and be null and void as respects so much of the Prairie Section and of the Mountain Section respectively as then remains uncompleted.

1903, c. 122,
s. 35
amended.
Prairie
section and
Mountain
section may
be completed
within time
fixed by
Governor in
Council.

1912, c. 37.

Powers
continued.



2 GEORGE V.

CHAP. 96.

An Act respecting the Grand Trunk Railway Company of Canada.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Grand Trunk Act, 1912*. Short title.

2. The expression “the Company,” where used in this Interpretation.
Act, means the Grand Trunk Railway Company of Canada.

3. The Company may from time to time acquire, hold, Power as to securities of The Grand Trunk Western Ry. Co.
pledge, sell or otherwise dispose of bonds or debentures heretofore or hereafter issued by the Grand Trunk Western Railway Company, and for that purpose may utilize any funds of the Company, including proceeds arising from the sale of any class of stock which the Company has been or is hereby authorized to issue, and upon the acquisition of any such bonds or debentures may exercise all the powers of holders thereof and receive any dividend or interest paid thereon: Provided that the principal amount of such bonds or debentures at any time held by the Company shall not 1901, c. 60.
exceed the sum of thirty million dollars. Limitation of amount to be held.

4. The directors of the Company may from time to Powers to aid certain companies.
time, and in such manner and upon such terms as may be mutually agreed upon, aid or assist the Grand Trunk Pacific
VOL. II—9 129 Branch

Branch Lines Company, the Grand Trunk Pacific Telegraph Company, the Grand Trunk Pacific Development Company, Limited, the Grand Trunk Pacific Elevator Company, Limited, and the Grand Trunk Pacific Steamship Company, Limited; and for that purpose may make advances to, guarantee, acquire, hold, pledge, sell or otherwise dispose of bonds, debentures or other securities of any of the said companies.

Authority to
issue additional
perpetual
consolidated
debenture
stock.

1897, c. 42;
1909, c. 87;
1911, c. 81.

Interest.

Limitation
of amount.

5. In addition to the amounts authorized by *The Grand Trunk Act, 1897*, and the several Acts referred to in section 5 of that Act, and by *The Grand Trunk Act, 1909*, and by *The Grand Trunk Act, 1911*, the Company may, for the purposes herein specified, borrow, and raise by the creation and issue of perpetual consolidated debenture stock to be called Grand Trunk Consolidated Debenture Stock, bearing interest at a rate not exceeding four per cent per annum, such sum as the proprietors of the Company entitled to vote, in general meeting assembled, shall from time to time determine: Provided always, that the aggregate amount of the annual interest on such debenture stock to be issued under this Act shall not exceed two hundred and fifty thousand pounds sterling.

Ranking and
conditions.

6. The debenture stock by this Act authorized shall rank equally and be consolidated with the debenture stock issued or to be issued as Grand Trunk Consolidated Debenture Stock under any Act now in force respecting the Company, and shall be subject to all conditions and provisions applicable thereto respecting the manner, time and place of payment of interest thereon, and the voting power of the holders thereof.

Application
of proceeds
of stock.

7. So much of the said stock, or of the proceeds thereof, as the directors of the Company shall from time to time determine may be used or applied by the directors in the exercise of and for the purpose of carrying out any of the powers by this Act conferred upon the Company and any portion not so used may be applied to the general purposes of the Company's undertakings in Canada.

1888, c. 58,
s. 6 to
apply.

8. Any shares, bonds, debentures or other securities acquired with the consolidated debenture stock created and issued under the authority of this Act, or the proceeds thereof, shall be held as subsisting and continuing as a security for the purposes of and upon the terms mentioned in section 6 of *The Grand Trunk Railway Act, 1888*.

Commence-
ment of Act.

9. The several provisions of this Act shall only take effect upon being assented to and accepted by a majority of the votes of the persons present or represented by proxy and entitled to vote at a general meeting of the Company

held after due notice of the intention to submit the same to such meeting has been given.

2. The certificate in writing of the chairman of such meeting of the acceptance of all or of such of the provisions of this Act as shall have been assented to and accepted, as the case may be, shall be filed in the office of the Secretary of State of Canada, and notice of such filing shall be published by the Company in *The Canada Gazette*. Certificate
of chairman.

3. Copies of such certificate, certified by the Secretary of State of Canada, shall be taken and accepted in all courts of law as sufficient evidence of such acceptance. Evidence.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 97.

An Act to incorporate the Guarantee Life Insurance Company of Canada.

[Assented to 1st April, 1912.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Jesse O. McCarthy, insurance manager, James Mc- Incorporation.
Lanaghan, gentleman, William B. Unsworth, accountant, William C. Gall, lumber merchant, and George F. Scott, gentleman, all of the city of Toronto, together with such other persons as become shareholders in the company, are hereby incorporated under the name of "The Guarantee Corporate name.
Life Insurance Company of Canada," hereinafter called "the Company."

2. The persons named in section 1 of this Act shall be Provisional directors.
the provisional directors of the Company.

3. The capital stock of the Company shall be five hun- Capital stock.
dred thousand dollars.

4. The amount to be subscribed before the general meet- Subscription of stock before general meeting.
ing for the election of directors is called shall be two hundred and fifty thousand dollars.

5. The Company shall not commence business until two Subscription of stock before
hundred and fifty thousand dollars of the capital stock have

commence-
ing
business.

have been subscribed and one hundred thousand dollars paid thereon.

Head office.

6. The head office of the Company shall be in the city of Toronto in the province of Ontario.

Business
of Company.

7. The Company may make contracts of life insurance with any person, and may grant, sell or purchase life annuities and endowments depending upon the contingency of human life, and may generally carry on the business of life insurance in all its branches and forms.

Application
of 1910, c. 32.

8. *The Insurance Act, 1910*, shall apply to the Company, except subsection (6) of section 145 thereof, for which is hereby substituted the following: "The shares of the capital stock subscribed for shall be paid by such instalments and at such times and places as the directors appoint; the first and second instalments shall not exceed in the aggregate fifty per cent, and no subsequent instalment shall exceed ten per cent, and not less than thirty days' notice of any call shall be given."

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to
the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 98.

An Act respecting the Harbour of Hamilton.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

SHORT TITLE.

1. This Act may be cited as *The Hamilton Harbour* Short title.
Commissioners' Act.

INCORPORATION.

2. The Commissioners appointed in accordance with Corporation
this Act are incorporated under the name of "The Hamilton constituted.
Harbour Commissioners," hereinafter called "the Corpor-
ation."

INTERPRETATION.

- 3.** In this Act, unless the context otherwise requires,— Definitions.
- (a) "commissioner" means a member of the corporation; Commis-
 - (b) "by-law" means any by-law, rule, order or regulation sioner.
made by the Corporation under the authority of By-law.
this Act;
 - (c) "vessel" includes every kind of ship, boat, barge, Vessel.
dredge, elevator, scow, or floating craft propelled
by steam, or otherwise;
 - (d) "goods" means any movables other than vessels; Goods.
 - (e) "rates" means any rate, toll, or duty whatsoever Rates.
imposed by this Act.

Harbour
limits
defined.

4. For the purposes of this Act, the harbour of Hamilton shall be deemed to include all the waters of Burlington Bay and what is known as Cootes Paradise, together with all the inlets thereof (excepting however, Burlington Channel), and also all water-front property, water lots, piers, docks, shores and beaches in and along the said bay and waters.

Land marks.

5. The Corporation may erect land marks to indicate the said limits of the harbour of Hamilton, which land marks shall be held to determine, *prima facie*, the said limits.

COMPOSITION OF CORPORATION.

Commis-
sioners.

6. The Corporation shall consist of three commissioners, one of whom shall be appointed by the council of the city of Hamilton, and two by the Governor in Council.

Appointment
by city, how
made.

2. The commissioner to be appointed by the city of Hamilton shall be nominated in the council, and an affirmative vote of at least two-thirds of the members of the council present and voting shall be necessary for his election.

Term of
office.

3. The commissioner so appointed shall hold office for three years, subject to removal, and until his successor is appointed, and shall be eligible for re-appointment.

City council-
ors ineli-
gible.

4. No member of the council shall be eligible to be a commissioner.

Resigna-
tions.

7. A commissioner appointed by the Governor in Council may resign his office by notifying, in writing, the Governor in Council of such resignation, and a commissioner appointed by the council of the city of Hamilton by notifying in writing the said council of such resignation.

Filling of
vacancies.

8. Whenever a vacancy occurs in the office of the commissioner appointed by the council of the city of Hamilton, whether such vacancy occurs by expiration of the term of office, or otherwise, the council shall, within thirty days, appoint his successor, and, in default of such appointment being made within the said period, the Governor in Council may appoint a person to fill such vacancy, and the person so appointed shall hold office in all respects as the commissioner in whose place he is appointed would have held it.

Oath of
office.

9. Before any commissioner enters upon the execution of his duties as commissioner, he shall take and subscribe an oath that he will truly and impartially to the best of his skill and understanding execute the powers vested in him as a member of the Corporation, which oath shall be filed on record in the office of the Corporation.

Chairman
and quorum.

10. The Corporation shall elect its own chairman, and two commissioners shall be a quorum for the transaction of all business within the jurisdiction of the Corporation.

OFFICERS AND EMPLOYEES.

11. The Corporation may appoint a harbour-master and such other officers, assistants, engineers, clerks and servants as it deems necessary to carry out the objects and provisions of this Act, and may allow them such compensation or salaries as it deems fitting, and require and take from them such security for the due and faithful performance of their respective duties as it deems necessary.

Officers, etc.

Salaries.

Security.

GENERAL POWERS.

12. The Corporation shall, for the purposes of and as provided in this Act, have jurisdiction within the limits of the harbour of Hamilton, but nothing herein shall be deemed to give the Corporation jurisdiction or control respecting private property or rights within the said limits.

Territorial limits of jurisdiction.

Private rights not affected.

13. The Corporation may institute and defend all suits, actions and proceedings in any court of justice in respect of the said property and the land comprised within the harbour.

Suits and actions.

14. The Corporation may hold, take, develop and administer on behalf of the city of Hamilton, subject to such terms and conditions as may, at the time the control thereof is transferred to the Corporation, be agreed upon with the council of the said city, the dock property and water lots owned by the city of Hamilton in the harbour as defined by this Act, and all other property which may be placed under the jurisdiction of the Corporation.

Power to hold and administer certain property for city.

2. The Corporation may acquire, expropriate, hold, sell, lease and otherwise dispose of such real estate, building or other property as it deems necessary or desirable for the development, improvement, maintenance and protection of the harbour as in this Act defined, or for the management, development and control of such property, or for any of the other purposes of this Act, and re-invest the proceeds arising therefrom in its discretion.

Property required for harbour.

3. Notwithstanding anything in this Act, the Corporation shall not, without the previous consent of the Governor in Council, sell, alienate, mortgage, or otherwise dispose of any land acquired by it from the Government of Canada.

Alienation of land restricted.

15. The Corporation may regulate and control the use and development of all land and property on the water front within the limits of the harbour of Hamilton, and all docks, wharfs, buildings and equipment erected or used in connection therewith, and for these purposes may pass by-laws as hereinafter provided.

Use and development of water front.

Docks,
buildings
and
appliances.

2. The Corporation may construct and maintain docks, channels, warehouses, cranes or other buildings, equipment and appliances, for use in the carrying on of harbour or transportation business, and may sell, lease or operate the same.

Construction
and opera-
tion of
railways.

3. The Corporation may, subject to such provisions of *The Railway Act* as are applicable to the exercise of the powers granted by this subsection,—

- (a) construct, acquire by purchase, lease or otherwise, maintain and operate railways within the boundaries of the port and harbour of Hamilton as defined by this Act;
- (b) enter into agreements with any railway company for the maintenance, by such company, of such railways and the operation thereof by any motive power, and so as at all times to afford all other railway companies whose lines reach the harbour the same facilities for traffic as those enjoyed by such company;
- (c) make arrangements with railway companies and navigation companies for facilitating traffic to, from and in the harbour, or for making connection between such companies' lines or vessels and those of the Corporation;

but nothing in this subsection shall be deemed to constitute the Corporation a railway company.

Plant and
machinery.

4. The Corporation may own and operate, by any motive power, all kinds of appliances, plant and machinery for the purpose of increasing the usefulness of the harbour or facilitating the traffic therein.

R.S., c. 115
to apply to
works.

5. Any work undertaken by the Corporation affecting the use of any navigable waters shall be subject to the provisions of *The Navigable Waters' Protection Act*.

Profits of
operation,
if any, to
belong to
city.

16. After providing for the cost of management of all the property which the Corporation owns, controls, or manages under the preceding sections, and after providing for the cost of works or improvements authorized by the Corporation and for the performance of the other duties imposed upon the Corporation, and for capital charges and interest upon money borrowed by the Corporation for improvements, and for all other liabilities of the Corporation, and for a sinking fund to pay off any indebtedness incurred by the Corporation, any surplus profits shall be the property of the city of Hamilton, and shall be paid over by the Corporation to the city treasurer.

Books, etc.,
to be open
to inspec-
tion by
city.

17. All books, documents and papers having reference to the management and development of any property under the control of the Corporation shall at all times be open for inspection by the audit department of the city of Hamilton;

and the Corporation shall report annually all its proceedings in connection therewith to the council of the said city.

Annual
report.

EXPROPRIATION OF LANDS.

18. Whenever the Corporation desires to acquire any lands for any of the purposes of this Act, should the Corporation be unable to agree with the owner of the lands which it is authorized to purchase, as to the price to be paid therefor, then the Corporation may acquire such lands without the consent of the owner, and the provisions of *The Railway Act* relating to taking land by railway companies shall, *mutatis mutandis*, be applicable to the acquisition of such lands by the Corporation, but no proceedings for the expropriation of lands shall be commenced until the consent of the Governor in Council is first obtained.

Expropria-
tion of lands.

R.S., c. 37
to apply.

BORROWING POWERS.

19. For the purpose of defraying the expenses of constructing, extending and improving the wharfs, structures and other accommodations in the harbour of Hamilton in such manner as the Corporation deems best calculated to facilitate trade and increase the convenience and utility of the said harbour, the Corporation may borrow money in Canada or elsewhere, and at such rates of interest as it finds expedient, and may for the said purposes issue debentures for sums not less than one hundred dollars or twenty pounds sterling, payable in not more than forty years, which debentures may be secured upon the real property vested in or controlled by the Corporation, subject to the several exceptions contained in section 14 of this Act.

Borrowing
powers.

Debentures.

Term.

Security.

Guarantee.

2. The principal and interest of the sums of money which may be borrowed under this section shall be a charge on the revenue arising from the rental and income out of the management of all property under the jurisdiction of the Corporation and from the rates and penalties imposed by or under this Act for, or on account of, the said harbour; and other lawful charges upon the said revenue shall be as follows:—

Charge upon
revenue.

Other charges
on revenue.

Collection.

Repairs.

Interest.

Sinking fund.

- (a) The payment of all expenses incurred in the collection of the same, and other necessary charges;
- (b) The defraying the expenses of keeping the harbour clean and of keeping the wharfs and other works therein in a thorough state of repair;
- (c) The payment of interest due on all sums of money borrowed under this Act;
- (d) Providing a sinking fund for paying off the principal of all sums borrowed by or assumed by the Corporation;

Operating,
etc.

- (e) The cost of operating docks and wharfs, and otherwise carrying out the objects of this Act.

BY-LAWS.

By-laws.

20. The Corporation may make by-laws, not contrary to law or to the provisions of this Act, for the following purposes:—

Navigation.

- (a) To regulate and control navigation and all works and operations within the harbour, and to appoint constables and other officials to enforce the same, or to enforce the provisions of any statutes or marine regulations relating to the harbour;

Building
operations
and other
actions
affecting
harbour.

- (b) To regulate, control or prohibit any building operations within or upon the harbour, excavations, removal or deposit of material, or any other action which would affect in any way the docks, wharfs, or channels of the harbour and water front or the bed of the harbour or the lands adjacent thereto;

Construction,
etc., of works
on docks, etc.

- (c) To construct, regulate, operate and maintain railways, elevators, pipes, conduits, or other works or appliances upon the docks, wharfs or channels or any part thereof; and to control and regulate or prohibit the erection of towers or poles, or the stringing of wires or use of any machinery which might affect property or business owned, controlled or operated by the Corporation;

Poles, wires,
machinery,
etc.

Encroach-
ments.

- (d) To prevent injuries to or encroachments upon any of the channels, harbours, wharfs or waters generally within the limits of the harbour;

Explosives.

- (e) To regulate and control the landing and shipping of explosives or inflammable substance;

Order,
prevention
of theft.

- (f) To maintain order and regularity and prevent theft and depredations;

Rates, tolls
and penal-
ties.

- (g) For the imposition and collection of all rates, tolls and penalties imposed by law or under any by-law under the authority of this Act;

Control of
boats, etc.

- (h) For regulating and controlling the operation and use of all canoes, sailing boats, row boats, motor boats and other kind of craft within the limits of the area over which the Corporation has jurisdiction;

Penalties for
infringing
Act or
by-law.

- (i) To impose penalties upon persons infringing any of the provisions of this Act or the by-laws of the Corporation; such penalties not to exceed fifty dollars or thirty days' imprisonment, and in default of payment of such pecuniary penalty and the costs of conviction, the period of imprisonment to be fixed by by-law not to exceed sixty days, nor to continue after such payment is made;

Government
of harbour.

- (j) For the government of all parties using the harbour and of all vessels coming into or using the same,

and by such by-laws to impose tolls to be paid upon such vessels and upon goods landed from or shipped on board of the same as they think fit, according to the use which may be made of such harbour and works aforesaid; Tolls.

- (k) For the doing of everything necessary for the effectual execution of the duties and powers vested in the Corporation. Execution of duties and powers.

2. No by-law shall have force or effect until confirmed by the Governor in Council and published in *The Canada Gazette*, and every such by-law shall, at least ten days before it is submitted to the Governor in Council, be served upon the city clerk of Hamilton. Confirmation of by-laws.

3. A copy of any by-law certified by the secretary under the seal of the Corporation shall be admitted as full and sufficient evidence of such by-law in all courts in Canada. Copies, when evidence.

HARBOUR RATES.

21. The valuation of goods on which *ad valorem* rates are imposed shall be made according to the provisions of *The Customs Act*, as far as applicable; and the said provisions shall, for the purposes of such valuation, be held to form part of this Act as if actually embodied herein. Valuation of goods.
R.S., c. 48 to apply.

22. The rates upon the cargoes of all vessels shall be paid by the master or person in charge of the vessel, saving to him such recourse as he may have by law against any other person for the recovery of the sums so paid; but the Corporation may demand and recover the said rates from the owners or consignees or agents or shippers of such cargoes if it sees fit to do so. Recovery of rates.

23. The Corporation may commute any rates authorized by this Act to be levied, on such terms and conditions and for such sums of money as the Corporation deems expedient. Commutation of rates.

SUMMARY PROCEEDINGS.

24. The Corporation may, in the following cases, seize and detain any vessel at any place within the limits of the province of Ontario:— Seizure of vessels.

- (a) Whenever any sum is due in respect of a vessel for rates or for commutation of rates, and is unpaid;
- (b) Whenever the master, owner or person in charge of the vessel, has infringed any provision of this Act, or any by-law in force under this Act, and has thereby rendered himself liable to a penalty.

Seizure of goods.

25. The Corporation may seize and detain any goods in the following cases:—

- (a) Whenever any sum is due for rates in respect of such goods, and is unpaid;
- (b) Whenever any provision of this Act, or any by-law in force under this Act, has been infringed in respect of such goods, and a penalty has been incurred thereby.

Seizure and detention to be at owner's risk.

26. Every lawful seizure and detention made under this Act shall be at the risk, cost and charges of the owner of the vessel or goods seized, until all the sums due, and penalties incurred, together with all proper and reasonable costs and charges incurred in the seizure and detention, and the costs of any conviction obtained for the infringement of any provision of this Act, or of any by-law in force under this Act, have been paid in full.

Duration.

May be made with or without suits.

2. The seizure and detention may take place either at the commencement of any suit, action or proceeding for the recovery of any sums of money due, penalties or damages, or pending such suit, action or proceeding, or as incident thereto, or without the institution of any action or proceeding whatsoever.

Order for seizure.

3. The seizure and detention may be effected upon the order of—

- (a) any judge;
- (b) any magistrate having the power of two justices of the peace;
- (c) the collector of Customs at the port of Hamilton.

Application for order.

4. The said order may be made on the application of the Corporation, or its authorized agent, or its solicitor, and may be executed by any constable, bailiff or other person whom the Corporation entrusts with the execution thereof; and the said constable, bailiff or other person, may take all necessary means and demand all necessary aid to enable him to execute the said order.

Execution of order.

Aid.

RESTRICTION.

Pecuniary transactions forbidden.

27. The Corporation shall not have any transactions of any pecuniary nature, either in buying or selling, with any members thereof, directly or indirectly.

OATHS.

Administration of oaths.

28. Whenever any person is required by or in pursuance of this Act to take any oath, any commissioner, the secretary of the Corporation, the harbour master of Hamilton, or any justice of the peace, may administer such oath.

ACCOUNTING FOR MONEYS.

29. The Corporation shall keep separate accounts of all moneys borrowed, received and expended by it under the authority of this Act; and shall account therefor annually to the Governor in Council in such manner and form as he may direct. Accounts.
Annual
reports to
Governor
in Council.

LIMITATION OF SUMMARY PROCEEDINGS.

30. In the case of any violation of this Act, or of any by-law in force under this Act, no complaint or information shall be made or laid after two years from the time that the matter of complaint or information arose. Limitation
of actions.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 99.

An Act respecting the Hamilton, Waterloo and Guelph Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1906, c. 106;
1908, c. 118;
1910, c. 108.

1. The Hamilton, Waterloo and Guelph Railway Company may commence the construction of its railway, and expend fifteen per cent of the amount of its capital stock thereon, including expenditure heretofore made, within two years after the passing of this Act, and may complete the said railway, and put it in operation, within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not completed and put in operation, within the said periods respectively, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the railway as then remains uncompleted.

Time for
construction
of railway
extended.

2. Section 4 of chapter 106 of the statutes of 1906 and section 1 of chapter 108 of the statutes of 1910 are repealed, and the following is enacted as section 4 of chapter 106 of the statutes of 1906:—

1906, c. 106
amended.

“4. The capital stock of the Company shall be nine million dollars. No one call thereon shall exceed ten per cent on the shares subscribed.”

Capital stock.

1910, c. 108
amended

3. Section 6 of chapter 108 of the statutes of 1910 is repealed.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 100.

An Act to incorporate the High River, Saskatchewan and Hudson Bay Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. H. N. Sheppard, F. Crandell, T. E. LeClaire, C. A. Gigot and G. D. Stanley, all of High River, in the province of Alberta, together with such persons as become shareholders in the company, are incorporated under the name of "The High River, Saskatchewan and Hudson Bay Railway Company," hereinafter called "the Company." Incorporation.
Corporate name.

2. The persons named in section 1 of this Act are hereby constituted the provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be three million dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

4. The head office of the Company shall be at High River, in the province of Alberta. Head office.

5. The annual meeting of the shareholders shall be held on the second Wednesday in September. Annual meeting.

Directors. **6.** The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Lines of railway described. **7.** The Company may lay out, construct and operate a line of railway of the gauge of four feet eight and one-half inches, from a point in any of the townships twenty-five to twenty-nine, range one, west of the fourth meridian, in the province of Alberta, thence northeasterly to the city of Saskatoon, in the province of Saskatchewan, thence northeasterly to a point in or about townships fifty-two to fifty-six on the easterly boundary of the province of Saskatchewan, thence northeasterly to the Pas in the Northwest Territories.

Consent of municipalities. **8.** The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and upon terms to be agreed upon with such municipality.

Special powers. **9.** The Company may, for the purposes of its undertaking, construct, acquire, and navigate steam and other vessels for the conveyance of passengers, goods and merchandise, and may construct, acquire, lease and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith.

Hotels. **10.** The Company may, for the purposes of its undertaking, construct, acquire, or lease buildings for hotels and restaurants along its railway, and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public; and may lay out and manage parks and summer and pleasure resorts with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer and pleasure resorts are situated, and may lease the same.

Parks. **11.** For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been

approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

12. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to, any such companies.

Telegraphs
and
telephones.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

Tolls and
charges.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act* or with this Act, shall apply to the telegraphic business of the Company.

R. S., c. 126.

13. Nothing in this Act, or in *The Telegraphs Act*, shall authorize the Company to construct or operate any telegraph or telephone lines or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Consent
of municipal-
ities required
for tele-
graph and
telephone
lines upon
highways,
etc.

14. The securities issued by the Company shall not exceed thirty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of
securities
for railway.

15. In addition to the securities authorized by section 14 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may borrow moneys for the acquisition, construction, extension or development of any of such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or

Issue of secu-
rities for
purposes
other than
railway.

Limitation. other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works in respect whereof the issue is made.

Agreements with other companies. **16.** Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with all or any of the following companies, namely:—the High River and Hudson Bay Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Pacific Railway Company and the Canadian Northern Railway Company.

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2 GEORGE V.

CHAP. 101.

An Act for the relief of Isabella Helen Horncastle.

[Assented to 1st April, 1912.]

WHEREAS Isabella Helen Horncastle, presently residing Preamble.
at the city of Toronto, in the province of Ontario, wife
of John Daniel Horncastle, of the said city of Toronto, has
by her petition alleged, in effect, that they were lawfully
married on the twenty-sixth day of December, A.D. 1887,
at the city of Montreal, in the province of Quebec, she then
being Isabella Helen Smith, spinster; that the legal domicile
of the said John Daniel Horncastle was then and is now in
Canada; that on or about the fourteenth day of July, A.D.
1911, he committed adultery with a woman whose name is
unknown, at the Albion Hotel in the said city of Toronto;
that the said Isabella Helen Horncastle has not connived at
nor condoned the said adultery; that there has been no col-
lusion directly or indirectly, between him and her in the pro-
ceedings for divorce; and whereas by her petition she has
prayed for the passing of an Act dissolving her said marriage,
authorizing her to marry again, and affording her such other
relief as is deemed meet; and whereas the said allegations
have been proved, and it is expedient that the prayer of her
petition be granted: Therefore His Majesty, by and with the
advice and consent of the Senate and House of Commons of
Canada, enacts as follows:—

1. The said marriage between Isabella Helen Smith and Marriage dissolved.
John Daniel Horncastle, her husband, is hereby dissolved,
and shall be henceforth null and void to all intents and pur-
poses whatsoever.

Right to
marry again.

2. The said Isabella Helen Smith may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said John Daniel Horncastle had not been solemnized

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2 GEORGE V.

CHAP. 102.

An Act for the relief of Herbert Horsfall.

[Assented to 12th March, 1912.]

WHEREAS Herbert Horsfall of the city of Montreal, in the province of Quebec, has by his petition alleged, in effect, that on the twentieth day of December, A.D. 1903, at the town of Burslem, in the county of Stafford, England, he was lawfully married to Rosannah Brammer; that she was then of the said town of Burslem, a spinster; that his legal domicile was then in England and is now in Canada; that at the city of Montreal, in the province of Quebec, during the month of September, A.D. 1911, she lived as wife with husband with one Hyman P. Nerwich and committed adultery with the said Hyman P. Nerwich; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The said marriage between Herbert Horsfall and Rosannah Brammer, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Marriage dissolved.

Right to
marry again.

2. The said Herbert Horsfall may at any time hereafter marry any woman he might lawfully marry if said marriage with the said Rosannah Brammer had not been solemnized.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 103.

An Act respecting the Imperial Loan and Investment Company of Canada.

[Assented to 1st April, 1912.]

WHEREAS the Imperial Loan and Investment Company Preamble.
of Canada, incorporated by chapter 116 of the 1899, c. 116;
statutes of 1899, has by its petition prayed that it be 1904, c. 86.
enacted as hereinafter set forth, and it is expedient to grant
the prayer of the said petition: Therefore His Majesty, by
and with the advice and consent of the Senate and House
of Commons of Canada, enacts as follows:—

1. Section 2 of chapter 116 of the statutes of 1899 is 1899, c. 116,
hereby repealed and the following is substituted therefor:— new s. 2.

“ 2. The capital stock of the new Company shall be Capital stock.
three million dollars divided into thirty thousand shares of
one hundred dollars each.”

2. This Act shall not come into force until such date as Commence-
is appointed by proclamation by the Governor in Council. ment of Act.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to
the King's most Excellent Majesty.



2 GEORGE V

CHAP. 104.

An Act to incorporate International Guarantee Company.

[Assented to 1st April, 1912.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. William Robinson and William J. Boyd, merchants, Incorporation.
Daniel E. Sprague and Manilus Bull, manufacturers, Neil T. McMillan, real estate agent, John D. Atchison, architect, and Henry Van Hummell, insurance manager, all of the city of Winnipeg in the province of Manitoba, together with such persons as become shareholders in the company, Corporate name.
are incorporated under the name of "International Guarantee Company," hereinafter called "the Company."

2. The persons named in section 1 of this Act shall be Provisional directors.
the provisional directors of the Company.

3. The capital stock of the Company shall be two Capital stock.
million five hundred thousand dollars, which may be increased to five million dollars. Increase.

4. The amount to be subscribed before the general Subscription before election of directors.
meeting for the election of directors is called shall be one hundred and fifty thousand dollars.

Head office.

5. The head office of the Company shall be in the city of Winnipeg in the province of Manitoba.

Business authorized.

6. The Company may carry on the following classes of business as defined by *The Insurance Act, 1910*, namely: accident, sickness, guarantee, automobile, and burglary insurance.

Payments on stock before commencing accident and sickness business.

7. The Company shall not commence the business of accident insurance and sickness insurance until at least two hundred thousand dollars of its capital stock have been bona fide subscribed and seventy-five thousand dollars thereof have been paid.

Accident, sickness and guarantee.

2. The Company shall not transact the business of accident, sickness and guarantee insurance until at least four hundred thousand dollars of its capital stock have been bona fide subscribed and at least one hundred and fifty thousand dollars thereof have been paid: Provided that the Company may transact the business of guarantee insurance only, when two hundred thousand dollars of its capital stock have been bona fide subscribed and seventy-five thousand dollars thereof have been paid.

All classes.

3. The Company shall not transact all the classes of business authorized by this Act until at least five hundred and fifty thousand dollars of its capital stock have been bona fide subscribed and two hundred thousand dollars thereof have been paid: Provided that the Company may transact all the classes of business authorized except guarantee insurance, or all the classes except accident and sickness insurance, when three hundred and fifty thousand dollars of its capital stock have been bona fide subscribed and one hundred and twenty-five thousand dollars thereof have been paid.

Application of 1910, c. 32.

8. *The Insurance Act, 1910*, shall apply to the Company.

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2 GEORGE V.

CHAP. 105.

An Act to incorporate the Interprovincial Fire Insurance Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient to
grant the prayer of the said petition: Therefore His Majesty,
by and with the advice and consent of the Senate and
House of Commons of Canada, enacts as follows:—

1. Honourable P. Auguste Choquette, Senator, advocate Incorporation.
and King's Counsel, Napoleon Arthur Dussault, physician,
Camilien Joseph Lockwell, manager, all of the city of
Quebec in the province of Quebec, and Damien Masson,
physician, Stanislas Donatien Joubert, merchant, Charles
H. Branchaud, stock broker, Alexandre Godfroi Casault,
insurance manager and Joseph Charles Hector Dussault,
advocate, all of the city of Montreal in the said province,
together with such persons as become shareholders in the
company, are hereby incorporated under the name of "The Corporate
Interprovincial Fire Insurance Company," hereinafter name.
called "the Company."

2. The persons named in section 1 of this Act shall be the Provisional
provisional directors of the Company. directors.

3. The capital stock of the Company shall be one million Capital.
dollars, which may be increased to two million dollars. Increase.

4. The amount to be subscribed before the general meet- Subscription
ing for the election of directors is called shall be two hundred before
and fifty thousand dollars. general
meeting.

Head office. 5. The head office of the Company shall be in the city of Montreal, in the province of Quebec.

Classes of business authorized. 6. The Company may carry on the business of fire insurance, the business of cyclone or tornado insurance, and the following classes of business as defined by section 2 of *The Insurance Act, 1910*, namely: explosion insurance, inland transportation insurance and sprinkler leakage insurance.

Commencement of fire business. 7. The Company shall not commence the business of fire insurance until at least two hundred and fifty thousand dollars of its capital stock have been subscribed and one hundred thousand dollars paid thereon.

Cyclone, tornado and inland transportation. 2. The Company shall not transact the business of cyclone or tornado insurance and inland transportation insurance in addition to fire insurance until its subscribed capital stock has been increased to at least three hundred thousand dollars and at least one hundred and twenty-five thousand dollars have been paid thereon.

All classes. 3. The Company shall not transact all the classes of insurance authorized by this Act until at least four hundred thousand dollars of its capital stock have been subscribed and at least one hundred and fifty thousand dollars have been paid thereon.

1910, c. 32 to apply. 8. *The Insurance Act, 1910*, shall apply to the Company.

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2 GEORGE V.

CHAP. 106.

An Act respecting the Interprovincial and James Bay Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1901, c. 66;
1903, c. 134;
1905, c. 109.

1. The Interprovincial and James Bay Railway Company, hereinafter called "the Company," may commence the construction of the line of railway authorized by section 8 of chapter 66 of the statutes of 1901, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not so completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for
construction
of railway
extended.

2. The limit to the amount of the securities issued by the Company in respect of the said railway shall not exceed fifty thousand dollars per mile of its railway and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of
securities.

3. Chapter 109 of the statutes of 1905 is repealed.

Time limit
repealed.



2 GEORGE V.

CHAP. 107.

An Act for the relief of Isobell Isaac.

[Assented to 1st April, 1912.]

WHEREAS Isobell Isaac, presently residing at the town of Gadsby, in the province of Alberta, wife of Francis John Isaac, of the city of Toronto, in the province of Ontario, has by her petition alleged, in effect, that they were lawfully married on the twenty-fourth day of October, A.D. 1894, at Shelburn, in the province of Ontario, she then being Isobell Keast, a spinster; that the legal domicile of the said Francis John Isaac was then and is now in Canada; that at the city of Toronto, in the province of Ontario, from about the year 1907, until the present time, the said Francis John Isaac has been living continuously in adultery with one Maude Benner, and is now so living at the city of Toronto; that the said Isobell Isaac has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The said marriage between Isobell Keast and Francis John Isaac, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Marriage dissolved.

Right to
marry again.

2. The said Isobell Keast may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Francis John Isaac had not been solemnized.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 108.

An Act for the relief of William Alexander Hunt Jenkins.

[Assented to 1st April, 1912.]

WHEREAS William Alexander Hunt Jenkins, of the city Preamble.
of London, in the province of Ontario, manufacturer,
has by his petition alleged, in effect, that on the fourteenth
day of October, A.D. 1896, at the city of Toronto, in the
said province, he was lawfully married to Isabella Karns;
that she was then of the city of Buffalo, in the state of New
York, one of the United States of America, a spinster; that
his legal domicile was then and is now in Canada; that from
some time in the month of June, A.D. 1907, until on or
about the twentieth day of October, A.D. 1911, at the city of
Hamilton, in the said province of Ontario, she lived as wife
with husband and committed adultery with one A. R.
McLaughlin; that the said William Alexander Hunt Jenkins
has not connived at nor condoned the said adultery; that
there has been no collusion, directly or indirectly, between
him and her in the proceedings for divorce; and whereas
by his petition he has prayed for the passing of an Act dis-
solving his said marriage, authorizing him to marry again,
and affording him such other relief as is deemed meet; and
whereas the said allegations have been proved, and it is
expedient that the prayer of his petition be granted: There-
fore His Majesty, by and with the advice and consent of the
Senate and House of Commons of Canada, enacts as
follows:—

1. The said marriage between William Alexander Hunt Marriage dissolved.
Jenkins and Isabella Karns, his wife, is hereby dissolved,
and shall be henceforth null and void to all intents and pur-
poses whatsoever.

Right to
marry again.

2. The said William Alexander Hunt Jenkins may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Isabella Karns had not been solemnized.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 109.

An Act for the relief of John Angus Kennedy.

[Assented to 1st April, 1912.]

WHEREAS John Angus Kennedy, of the city of Saskatoon, in the province of Saskatchewan, has by his petition alleged, in effect, that on the twenty-fourth day of February, A.D. 1909, at Rosthern, in the said province, he was lawfully married to Kathleen Code; that she was then of Munich, in the state of North Dakota, one of the United States of America, a spinster; that his legal domicile was then and is now in Canada; that in the month of February, A.D. 1911, she was living as an inmate in a house of prostitution in the city of Winnipeg, in the province of Manitoba, and then and there on divers occasions committed adultery with persons whose names are unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1. The said marriage between John Angus Kennedy and Kathleen Code, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever.

Marriage dissolved.

Right to
marry
again.

2. The said John Angus Kennedy may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Kathleen Code had not been solemnized.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 110.

An Act respecting the Kettle Valley Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1901, c. 68;
1903, c. 138;
1904, c. 89;
1906, c. 117;
1909, c. 95;
1910, c. 115;
1911, c. 101.

1. The Kettle Valley Railway Company, hereinafter called "the Company," may lay out, construct and operate a railway from a point at or near Vernon, in a southerly and southeasterly direction, by the most feasible route, to a point at or near Penticton, in the province of British Columbia.

Line of
railway
authorized.

2. The Company may, within two years after the passing of this Act, commence to construct and within five years after the passing of this Act complete and put in operation the following lines of railway which it is authorized to construct by section 8 of chapter 68 of the statutes of 1901, as amended by section 2 of chapter 89 of the statutes of 1904 and by section 2 of chapter 117 of the statutes of 1906, and also by section 1 of chapter 115 of the statutes of 1910, namely:—

Time for
construction
of railways
extended.

(a) From a point fifty miles up the north fork of the Kettle river, thence northerly by the most feasible route to Fire Valley, thence northwesterly following the general course of Fire Valley to Vernon, thence westerly to a junction with the line of railway of the Nicola, Kamloops and Similkameen Coal and Railway Company at or near Quilchena;

(b) From a point on the line so to be constructed, at or near the junction of the east fork and west fork of the north fork of Kettle river, in a generally northeasterly direction to Franklin Camp, thence to Killarney by the most feasible route;

(c) From a point at or near Hedley, on the line to be constructed from Midway to Hedley, northerly along Twenty Mile creek, for a distance of about twenty miles;

(d) From a point on its present authorized line near the Coldwater river, in the province of British Columbia, by the most feasible route, to the navigable waters of the Fraser river, at or near Ruby creek in the said province.

Limitation
of time for
construction.

2. If, within the said periods respectively, any of the lines mentioned in sections 1 and 2 of this Act is not so commenced, or is not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of such line as then remains uncompleted.

Consent of
municipali-
ties.

3. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon the terms to be agreed upon with such municipality.

Issue of
securities on
railway
generally.

4. Except as provided in subsection 2 of this section, the securities issued by the Company shall not exceed forty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed, or under contract to be constructed.

On Coqui-
halla branch.

2. The securities issued by the Company in respect of the line mentioned in paragraph (d) of subsection 1 of section 2 of this Act shall not exceed sixty thousand dollars per mile of railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Certain
contracts
not affected.

5. Nothing in this Act shall affect or modify any contract entered into by the Company with the province of British Columbia or the municipality of Penticton.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. III.

An Act respecting the Kootenay and Alberta Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore 1909, c. 96.
His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Kootenay and Alberta Railway Company may commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not so completed and put in operation within the said periods respectively, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted. Time for construction of railway extended.

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2 GEORGE V.

CHAP. 112.

An Act respecting the Kootenay Central Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1901, c. 71;
1904, c. 91;
1909, c. 93.

1. The Kootenay Central Railway Company, hereinafter called "the Company," may lay out, construct and operate a railway from a point on the British Columbia Southern Railway at or near Galloway in the province of British Columbia, in a southerly direction to a point on the International boundary at or near Gateway.

Line of
railway
authorized.

2. The Company may commence the construction of the railway authorized by section 1 of this Act, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if, within the said periods respectively, the said railway is not so commenced, or is not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for
construction
of railway
limited.

3. The Company may continue the construction of the railways authorized by chapter 71 of the statutes of 1901, and complete the said railways and put them in operation within

Time for
construction
of railways
extended.

within five years after the passing of this Act, and if the said railways are not so completed and put in operation within the said period, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railways as then remains uncompleted.

Issue of
securities.

4. The limit to the amount of the securities issued by the Company in respect of the railways authorized by chapter 71 of the statutes of 1901, and by this Act, shall not exceed forty thousand dollars per mile of the said railways, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Time limit
repealed.

5. Chapter 98 of the statutes of 1909 is repealed.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 113.

An Act for the relief of Alvena Bell Leaitch.

[Assented to 1st April, 1912.]

WHEREAS Alvena Bell Leaitch, presently residing at Preamble.
the city of Toronto, in the province of Ontario, wife
of James Leaitch, formerly of the village of Salem, in the
said province, has by her petition alleged, in effect, that they
were lawfully married on the twenty-eighth day of June, A.D.
1899, at the city of Niagara Falls, in the said province, she
then being Alvena Bell Badgley, spinster; that the legal
domicile of the said James Leaitch was then and is now in
Canada; that at the said city of Niagara Falls, on or about
the twenty-first day of January, A.D. 1911, the said James
Leaitch unlawfully went through a ceremony of marriage
with one Mary Alice Warren, she not knowing him to be a
married man, and afterwards lived in adultery with the said
Mary Alice Warren at the said city of Niagara Falls,
and on or about the fifth day of June, 1911, was convicted
of bigamy before the police magistrate at the said city of
Niagara Falls; that the said Alvena Bell Leaitch has not
connived at nor condoned the said adultery; that there has
been no collusion, directly or indirectly, between him and her
in the proceedings for divorce; and whereas by her petition
she has prayed for the passing of an Act dissolving her said
marriage, authorizing her to marry again, and affording her
such other relief as is deemed meet; and whereas the said
allegations have been proved, and it is expedient that the
prayer of her petition be granted: Therefore His Majesty, by
and with the advice and consent of the Senate and House of
Commons of Canada, enacts as follows:—

1. The said marriage between Alvena Bell Badgley and James Leaitch, her husband, is hereby dissolved, and shall be Marriage dissolved.

henceforth null and void to all intents and purposes whatsoever.

Right to
marry again.

2. The said Alvena Bell Badgley may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said James Leitch had not been solemnized.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 114.

An Act to incorporate the Liverpool-Manitoba Assurance Company.

[Assented to 12th March, 1912.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Sir Edward Seaborne Clouston, baronet, George Edward Drummond, Frederick William Thompson, Sir Alexandre Lacoste and James Gardner Thompson, all of the city of Montreal, in the province of Quebec, together with such persons as become shareholders in the company, are incorporated under the name of "The Liverpool-Manitoba Assurance Company," hereinafter called "the Company." Incorporation.
Corporate name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be one million dollars. Capital stock.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be one hundred thousand dollars. Subscription before general meeting.

5. The head office of the Company shall be in the city of Montreal, in the province of Quebec. Head office.

Business
which may
be carried on.

6. The Company may make contracts of fire insurance, also contracts of plate glass insurance, steam boiler insurance, and inland transportation insurance as defined by *The Insurance Act, 1910*, and marine insurance.

Commence-
ment of
fire insurance
business.

7. The Company shall not commence the business of fire insurance until at least two hundred and fifty thousand dollars of its capital stock have been bona fide subscribed and at least one hundred thousand dollars have been paid thereon.

Plate glass,
steam boiler
and inland
transporta-
tion
insurance.

2. The Company shall not commence the business of plate glass insurance, steam boiler insurance and inland transportation insurance, in addition to fire insurance, until its subscribed capital has been increased to at least three hundred and fifty thousand dollars, and at least one hundred and fifty thousand dollars have been paid thereon.

Marine
insurance.

3. The Company shall not commence the business of marine insurance, in addition to the class or classes of insurance for which a license has been granted, until a further sum of one hundred and fifty thousand dollars of its capital stock has been subscribed and seventy-five thousand dollars have been paid thereon.

Additional
payments on
capital stock.

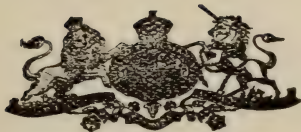
4. In addition to the several sums required to be paid upon capital stock as hereinbefore provided, a further sum of seventy-five thousand dollars shall be paid thereon within five years after the issue of a license to the Company, in such manner that at no time within said five years shall the portion which may have been paid be less than the amount which would have been paid by an annual payment of fifteen thousand dollars.

Acquire-
ment of
business of
Manitoba
Assurance
Company.

8. The Company may acquire the rights and property of the Manitoba Assurance Company incorporated by chapter 63 of the statutes of 1886 of Manitoba, amended by chapter 73 of the statutes of 1904 of Manitoba, and in such case the Company shall perform and discharge all duties, obligations and liabilities of the said company.

Application
of Insurance
Act.

9. Except as otherwise provided by this Act, the Company shall have all the powers, privileges and immunities and shall be subject to all the liabilities and provisions in *The Insurance Act, 1910*, so far as they may be applicable to the Company.



2 GEORGE V.

CHAP. 115.

An Act respecting the Manitoba and North Western Railway Company of Canada.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1893, c. 52;
1902, c. 71;
1904, c. 94;
1907, c. 104;
1908, c. 126;
1909, c. 102;
1910, c. 121.

1. The Manitoba and North Western Railway Company of Canada, hereinafter called "the Company," may lay out, construct and operate the following lines of railway, namely:—

Branch lines
authorized.

(a) From a point on its main line at or near Harrowby in a southeasterly and southerly direction to a point at or near Hamiota, in the province of Manitoba;

(b) From a point on its main line at or near Theodore in a westerly direction to a point on the Pheasant Hills branch of the Canadian Pacific Railway between Govan and Lanigan, in the province of Saskatchewan.

2. The Company may, within two years after the passing of this Act, commence the construction of any of the lines of railway authorized by section 1 of this Act and may complete, within five years after the passing of this Act, any of the said lines of railway, and if within the said periods respectively any such line of railway is not so commenced, or is not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of such line of railway as then remains uncompleted.

Time for
construction
limited.

Branch lines
authorized.

2. The Company may, within two years after the passing of this Act, commence the construction of, and may, within five years after the passing of this Act, complete and put in operation the following lines of railway which it is authorized to construct by section 1 of chapter 126 of the statutes of 1908, and by section 1 of chapter 121 of the statutes of 1910:—

(a) From a point on its main line at or near Theodore in a southeasterly direction to a junction with its Russell branch in township twenty or twenty-one, range twenty-eight, west of the principal meridian, in the provinces of Saskatchewan and Manitoba;

(b) From a point at or near Birtle to a point at or near Hamiota in the province of Manitoba;

(c) From a point at or near Russell in the province of Manitoba in a northerly or northeasterly direction to a point at or near where the Shoal river enters lake Winnipegosis.

Time for
construction
limited.

2. If, within the said periods respectively, any of the said lines of railway is not so commenced, or is not so completed and put in operation, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of such line of railway as then remains uncompleted.

Time for
construction
extended.

3. The Company may, within five years after the passing of this Act, complete and put in operation the railway which it is authorized to construct by section 1 of chapter 94 of the statutes of 1904; from a point at or near Churchbridge on the Company's main line southerly to a junction with the Pheasant Hills branch of the Canadian Pacific Railway at or near Cutarm Creek, in the province of Saskatchewan; and if the said railway is not so completed and put in operation within the said period the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Issue of
securities.

4. The limit to the amount of securities which the Company may issue upon its railway shall not exceed thirty thousand dollars per mile of its railway, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Time limit
repealed.

5. Section 3 of chapter 121 of the statutes of 1910 is repealed.



2 GEORGE V.

CHAP. 116.

An Act respecting the Methodist Church.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Section 5 of chapter 106 of the statutes of 1884, 1884, c. 106.
intituled *An Act respecting the Union of certain Methodist Churches therein named*, is hereby amended by adding thereto s. 5 amended.
the following words:—

“And such trustees and their successors from time to time appointed under the provisions of the said Schedule B may also receive, hold, use, administer and dispose of any property, real or personal, devised, bequeathed, given or transferred to them for the special use of the said congregation, circuit, station or mission, by way of endowment or otherwise, in accordance with the trusts declared in the will, deed or other instrument creating such trust, and not contrary to the by-laws, rules, and regulations of the said corporation; and in the event of the failure or partial failure of any trusts so declared, the same may be held, used, administered or disposed of for such purposes and in such manner, from time to time provided by the by-laws, rules or regulations of the said corporation, as are not inconsistent with this Act, and subject, as regards any real or personal property, to such provincial law as may apply thereto.” Power to hold and administer property for special use of individual congregations, etc.

S. 8 amended.

Appointment
of city
mission
boards and
church
extension
boards.

2. Section 8 of the said Act is hereby amended by adding thereto the following subsections:—

“2. The said corporation may authorize and empower any annual conference from time to time existing to establish, by resolution of the said conference, city mission boards or church extension boards, or either, in accordance with the by-laws, rules or regulations of the corporation; and every such board so established shall be a body corporate, with such membership, organization, powers, rights, and duties as are not contrary to law nor inconsistent with this Act, including the acquiring, holding, administration and disposal of any property, real or personal, for such purposes of the said board as are defined from time to time by the corporation.

Appointment
of boards of
trust.

“3. The said corporation may authorize and empower any annual conference from time to time existing to establish, by resolution of the said conference, a board of trust in accordance with the by-laws, rules or regulations of the corporation; and every such board so established shall be a body corporate, with such membership, organization, powers, rights and duties, as are not contrary to law nor inconsistent with this Act, including the acquiring, holding, administration and disposal of all property, real or personal, which may be devised, bequeathed, granted or conveyed to such board for the purposes of the Church within the bounds of such conference as are defined from time to time by the corporation.”

S. 11 amended.

Power to
alienate
property.

3. Section 11 of the said Act is hereby amended by adding thereto the following subsection:—

“2. The said corporation, or any body corporate created under the provisions of this Act, or any trustees appointed under Schedule B hereto, may, in the manner authorized by the by-laws, rules or regulations of the said corporation, give, grant, convey or otherwise alienate any property, real or personal, held by them respectively, to any other church, corporation or missionary organization, or any trustees thereof, in pursuance of any agreement or understanding entered into, with such church, corporation, or missionary organization, for co-operation in carrying on religious work.”

Schedule B,
para. 16
amended.Application
of price of
sale of land.

4. Paragraph 16 of Schedule B of the said Act is hereby amended by adding, after the word “conference” in the sixty-fourth line of Column Two thereof, the words “or to such other purposes as the said annual conference may from time to time determine under the rules and regulations of the General Conference.”

Schedule B,
para. 21
amended.

5. Paragraph 21 of Schedule B of the said Act is hereby amended as follows:—

(1) By inserting between the words "distance" and "as" in the sixteenth line of Column Two thereof, the words "or shall fail to attend the meetings of the trustees for such period not less than one year, nor embracing less than three consecutive meetings." As to trustees, and vacancies and replacement.

(2) By inserting after the word "co-trustees," in the eighteenth line of Column Two thereof, the words "at a meeting duly called to consider the matter."

(3) By inserting between the words "church" and "or," in the twenty-third line of Column Two thereof, the words "failing to attend."

(4) By inserting between the words "and" and "shall" in the twenty-sixth line of Column Two thereof, the words "thereupon and from time to time, as often as a vacancy or vacancies shall occur, the surviving or remaining trustee or trustees may by a two-thirds vote reduce the number of the trustees by one or more up to the number of such vacancies, provided the number remaining shall be not less than five, but should such resolution not be passed by the said surviving or remaining trustees such vacancy."

6. Paragraph 22 of Schedule B of the said Act is hereby amended by adding, after the word "quorum" in the third line of Column Two thereof, the words "save when the number of trustees exceeds nine, when five shall form a quorum." Schedule B, para. 22 amended. Quorum of trustees.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 117.

An Act respecting Mexican Interurban Electric Traction Company, Limited, and to change its name to "Mexican Interurban Electric Railway Company, Limited."

[Assented to 1st April, 1912.]

WHEREAS Mexican Interurban Electric Traction Company, Limited, has by its petition represented that it is incorporated under *The Companies Act*, chapter 79 of the Revised Statutes, 1906, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

Canada
Gazette,
January
20th, 1912.

1. The name of the said company, hereinafter called "the Company," is changed to "Mexican Interurban Electric Railway Company, Limited;" but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Name
changed

Saving of
rights.

2. Subject to the laws in force in the United States of Mexico and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the United States of Mexico, survey, lay out, construct, complete, equip, maintain,

Powers of
Company in
Mexico.

Railways. tain, and operate, and extend, remove, and change as required, double or single iron or steel railways and branches, side tracks, turnouts, and appurtenances and tramways for the passage of cars, carriages and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit, and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and operate, for reward, any existing or future lines of railway, tramway, telegraph or telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Tramways.

Telegraphs.

Telephones.

Carriers.

Acquisition of properties of other companies.

Issue of share warrants.

3. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect of share warrants.

4. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender and cancellation entitle to entry as shareholder.

Liability of Company for entry without cancellation.

5. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its book the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided however that such cancellation and entry of name as a shareholder shall be made within sixty days.

To what extent bearer is shareholder.

6. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent, or for such purposes as is prescribed by the

directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Warrant will not qualify bearer as director.

7. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholder then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars—

Particulars to be entered in register.

(a) the fact of the issue of the warrant;

(b) a statement of the share, or shares, included in the warrant;

(c) the date of the issue of the warrant;

and, until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required, by sections 89 and 90 of *The Companies Act*, to be rendered in the books of the Company in respect of such share, or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

R.S., c. 79.

Date of surrender to be entered.

8. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant, or coupon, may be issued in the place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings, and upon which a share warrant may be surrendered, and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force, whether made before or after the issue of such warrant.

Directors may vary conditions of issue.



2 GEORGE V.

CHAP. 118.

An Act respecting Mexico North Western Transportation Company, Limited, and to change its name to Mexico North Western Pacific Railway Company.

[Assented to 1st April, 1912.]

WHEREAS Mexico North Western Transportation Company, Limited, has by its petition represented that it is incorporated by letters patent issued under *The Companies Act*, chapter 79 of the Revised Statutes, 1906, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
Canada
Gazette,
March 9th,
1912.

1. The name of the said company, hereinafter called "the Company," is hereby changed to "Mexico North Western Pacific Railway Company," but such change of name shall not in any way impair, alter or affect the rights or liabilities of the Company, nor in any way affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the Company, which, notwithstanding such change in the name of the Company, may be prosecuted, continued, completed and enforced as if this Act had not been passed.

Name
changed.

Saving of
rights.

2. Subject to the laws in force in the United States of Mexico, and with such legislative, governmental, municipal or other authority, concession, license or consent as is necessary, the Company may, within the United States of Mexico, survey, lay out, construct, complete, equip, maintain and operate, and extend, remove, and change as

Powers of
Company
in Mexico.

Railways.

Tramways.

Telegraphs.

Telephones.

Carriers.

Acquisition
of properties
of other
companies.

required, double or single iron or steel railways and branches, side tracks, turnouts, and appurtenances, and tramways for the passage of cars, carriages, and other vehicles adapted thereto, upon and along streets, highways and other public places, and upon and along lands purchased, leased or otherwise acquired by the Company; also telegraph and telephone lines and works in connection therewith; and allow the use of the said railways and other works by lease, license or otherwise for reward; and take, transmit, and carry, for reward, telegrams, messages, passengers and freight, including mails, express and other freight, upon or by means thereof, by steam, pneumatic, electric or other power, or by a combination of them or any of them; and also may there acquire, by purchase, lease or otherwise, upon such terms and conditions as are agreed upon, and operate for reward, any existing or future lines of railway, tramway, telegraph or telephone; and for all or any of the purposes aforesaid, the Company may enter into and carry out such contracts, concessions and agreements as it thinks necessary.

Issue of
share
warrants.

3. The Company may, with respect to any share which is fully paid up, issue under its common seal a warrant stating that the bearer of the warrant is entitled to the share or shares therein specified, and may provide, by coupons or otherwise, for the payment of the future dividends on the share or shares included in such warrant, hereinafter referred to as a "share warrant."

Effect
of share
warrants.

4. A share warrant shall entitle the bearer of such warrant to the shares specified in it, and such shares may be transferred by the delivery of the share warrant.

Surrender
and
cancellation
entitle to
entry as
shareholder.

Liability of
Company for
entry
without
cancellation.

5. The bearer of a share warrant shall, subject to the conditions to be determined by the directors as hereinafter provided, be entitled, on surrendering such warrant for cancellation, to have his name entered as a shareholder in the books of the Company, and the Company shall be responsible for any loss incurred by any person by reason of the Company entering in its books the name of any bearer of a share warrant in respect of the shares specified therein without the share warrant being surrendered and cancelled: Provided, however, that such cancellation and entry of name as a shareholder shall be made within sixty days.

To what
extent
bearer is
shareholder.

6. The bearer of a share warrant may, if the directors so determine, be deemed to be a shareholder of the Company within the meaning of *The Companies Act*, either to the full extent or for such purposes as are prescribed by the

directors: Provided that the bearer of a share warrant shall not be qualified in respect of the shares specified in such warrant for being a director of the Company.

Warrant will not qualify bearer as director.

7. On the issue of a share warrant in respect of any share or shares, the Company shall strike out of its books the name of the shareholders then entered therein as holding such share, or shares, as if he had ceased to be a shareholder, and shall enter in the register the following particulars—

Particulars to be entered in register.

(a) the fact of the issue of the warrant;

(b) a statement of the share, or shares, included in the warrant;

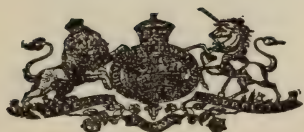
(c) the date of the issue of the warrant;

and until the warrant is surrendered, the above particulars shall be deemed to be the particulars which are required, by sections 89 and 90 of *The Companies Act*, to be entered in the books of the Company, in respect of such share or shares; and on the surrender of a warrant the date of such surrender shall be entered as if it were the date at which a person ceased to be a shareholder.

Date of surrender to be entered.

8. The directors may determine and vary the conditions upon which share warrants shall be issued, and in particular upon which a new share warrant, or coupon, may be issued in place of one worn out, defaced, lost or destroyed, and the conditions upon which the bearer of a share warrant shall be entitled to attend and vote at general meetings and upon which a share warrant may be surrendered, and the name of the holder entered in the books of the Company in respect of the shares therein specified. Unless the bearer of a share warrant is entitled to attend and vote at general meetings, the shares represented by such warrant shall not be counted as part of the stock of the Company for the purposes of a general meeting. The holder of a share warrant shall be subject to the conditions for the time being in force whether made before or after the issue of such warrant.

Directors may vary conditions of issue.



2 GEORGE V.

CHAP. 119.

An Act for the relief of Kenneth Molson.

[Assented to 12th March, 1912.]

WHEREAS Kenneth Molson, of the city of Quebec, in Preamble.
the province of Quebec, merchant, has by his petition alleged, in effect, that on the fourteenth day of April, 1899, at the city of Hamilton, in the province of Ontario, he was lawfully married to Mary Letitia Snider; that she was then of the said city of Hamilton, a spinster; that his legal domicile was then and is now in Canada; that at the city of Harrogate, in the county of Yorkshire, England, in the period between the beginning of June, 1911, and the beginning of January, 1912, she lived, as wife with husband, with one Harold Tinker, and committed adultery with the said Harold Tinker; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Kenneth Molson and Mary Letitia Snider, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Kenneth Molson may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Mary Letitia Snider had not been solemnized.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to
the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 120.

An Act respecting the Montreal Central Terminal Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1890, c. 93;
1891, c. 106;
1894, c. 63;
1897, c. 67;
1905, c. 127;
1909, c. 109.

1. The Montreal Central Terminal Company may, within two years after the passing of this Act, commence the construction of the works mentioned in section 2 of chapter 109 of the statutes of 1909 and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the works mentioned in sections 2 and 3 of the said chapter; and if, within the said periods respectively, such commencement and such expenditure are not so made, or any of the said works are not completed and put in operation, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said works as then remains uncompleted.

Time for
construction
of bridges
and tunnels
extended.

2. Section 10 of chapter 109 of the statutes of 1909 is repealed.

1909, c. 109
amended.

3. The Company shall not construct or operate its line of railway, bridge or tunnel along any highway, street or other public place, (whether under or over the surface), without

Consent of
municipality.

without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place and upon terms to be agreed upon with such municipality.

As to use by
passengers
and vehicles.

4. No part of the bridge or tunnel or approaches thereto situate in the city of Montreal and which the Company is authorized to construct shall be used by the Company for the purpose of urban passenger service, or for the passage of pedestrians, vehicles, cars or carriages used for urban service, without the consent of the said city expressed by by-law and setting out the conditions of such consent.

Application
of Railway
Act.

5. In addition to the powers contained in *The Railway Act*, which are hereby declared to apply to the tunnel and other works authorized by the several Acts relating to the Company, the Company may, for the purposes of such tunnel and works,—

Expropria-
tion.

- (a) expropriate and take an easement in, over, under or through any lands;
- (b) in reduction of the damage or injury to any lands taken or affected by such authorized lines and works, abandon or grant to the owner or party interested therein, any portion of such lands, or any easement or interest therein, or make any structures, works or alterations in or upon its works for such purposes.

Arbitration.

2. If the Company, by its notice of expropriation or some subsequent notice, prior to the first meeting of the arbitrators, specify its decision to take only such easement or undertake to abandon or grant such lands or easement or interest in lands, or to make such structures or works or alterations, the damages (including damages, if any, resulting from the change in the notice of expropriation) shall be assessed by the arbitrator or arbitrators appointed pursuant to the provisions of *The Railway Act* in view of such specified decision or undertaking, and the arbitrator or arbitrators shall declare the basis of their award accordingly, and such award, as well as such specified decision or undertaking of the Company, may be enforced by the Board of Railway Commissioners for Canada.

Powers of
entry.

6. The Company may, before and after the commencement of its works,—

- (a) enter into and upon any lands, buildings or structures proximate to such works, for the purpose of ascertaining the state of repair thereof and for devising the best means of avoiding any possible damage which the execution of the works might occasion thereto;

(b) make upon or in connection therewith any works, repairs or renewals, for the purpose of preventing or mitigating any such damage.

2. The Company shall make compensation in the manner specified in *The Railway Act* to all persons interested for the damage sustained by them (if any) by reason of the exercise of the powers in this section contained. Compensation.

3. Section 216 of *The Railway Act* shall apply to the exercise of the foregoing powers so far as is necessary to enable the Company to carry them into effect. R. S., c. 37,
s. 216.

7. In the event of any disagreement between the Company and any municipality as to the terms and conditions upon which the Company shall construct, maintain or operate any of the works authorized by the Acts relating to the Company, the matters in question shall be decided by the Board of Railway Commissioners for Canada; but this section shall not apply to section 4 of this Act. Disagreements to be decided by Railway Commission.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 121.

An Act to amend the Act of the present session intituled "An Act respecting the Montreal Central Terminal Company."

[Assented to 1st April, 1912.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Montreal Central Terminal Amendment Act, 1912.* Short title.

2. The powers conferred upon the Montreal Central Terminal Company by sections 5 and 6 of the Act of the present session, intituled "An Act respecting the Montreal Central Terminal Company," shall only be exercised upon obtaining the consent of the Governor in Council thereto. Certain powers to be exercised only with consent of Governor in Council.

3. The exercise of the powers conferred by the said sections 5 and 6 shall also be subject to any general railway Act hereafter passed which provides for the expropriation by railway companies of any easement, servitude, right of way, or other privilege enjoyed in, to, under, over, or in respect of any lands, or in respect of entering upon any lands, for any purpose whatsoever, or which in any way deals with any power granted by the said sections 5 or 6; and in any respect in which such general railway Act is inconsistent with the said sections 5 or 6, the said railway Act shall prevail. Powers of expropriation and of entering on lands to be subject to future legislation.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 122.

An Act to incorporate the Montreal and Lake Victoria Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. J. A. Vaillancourt, merchant, J. Emile Vanier, civil Incorporation.
engineer, Trefflé Bastien, contractor, Edouard Gohier, real
estate agent, George E. Drummond, merchant and manufac-
turer, Frederick L. Wanklyn, civil engineer, Nathaniel
Curry, manufacturer, all of the city of Montreal, Sévère G.
Laviolette, merchant, Félix Philias Vanier, M.D., Charles Elie
Laflamme, merchant, Rodrigue Deschambault, banker, all
of the town of St. Jérôme, in the province of Quebec, together
with such persons as become shareholders in the company,
are hereby incorporated under the name of "The Montreal Corporate
and Lake Victoria Railway Company," hereinafter called name.
"the Company."

2. The persons named in section 1 of this Act are hereby Provisional
constituted provisional directors of the Company. directors.

3. The capital stock of the Company shall be four Capital stock.
million dollars. No one call thereon shall exceed ten per
cent on the shares subscribed.

4. The head office of the Company shall be in the city of Head office.
Montreal, in the province of Quebec.

Annual
meeting.

5. The annual meeting of the shareholders shall be held on the first Wednesday of September.

Directors.

6. The number of directors shall not be less than five nor more than nine, one or more of whom may be paid directors.

Line of
railway
described.

7. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches from a point in the city of Montreal, northerly or north-westerly, through the counties of Hochelaga, Maisonneuve, Laval, Terrebonne, Two Mountains, Argenteuil, Montcalm, Labelle, Wright or Pontiac, to connect by the most direct possible route with the National Transcontinental Railway at or near mile 840 west of Moncton, and thence to James Bay, at a point at or near Hannah Bay, in the province of Ontario.

Consent of
municipali-
ties.

8. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and upon terms to be agreed upon with such municipality.

Issue of
securities.

9. The securities issued by the Company shall not exceed forty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of
securities for
purposes
other than
railway.

10. In addition to the securities authorized by section 9 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may, from time to time, borrow moneys for the acquisition, construction, extension, or development of any of such properties, assets, or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets, or works, in respect whereof the issue is made.

Limitation.

Vessels.

11. The Company may, for the purposes of its undertaking, construct, acquire, charter and navigate steam and other vessels for the conveyance of passengers, goods and merchandise; and may construct, acquire and dispose of wharfs, docks, elevators, warehouses, offices and other structures to be used to facilitate the carrying on of business in connection therewith; and may carry on the business

Wharfs,
docks, etc.

ness of warehousemen and wharfingers; and charge wharfage and other dues for the use of any such property.

Warehousemen and wharfingers.

12. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric and other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Transmission and delivery of electric and other power.

R.S., c. 37.

13. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

Telegraphs and telephones.

R.S., c. 37.

2. No toll or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, who may also revise such tolls and charges.

Tolls and charges.

3. Part II. of *the Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraph business of the Company.

R.S., c. 126.

14. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines or any lines, for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent expressed by by-law of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Consent of municipalities required for telegraph and telephone lines, etc., upon highways, etc.

R.S., c. 126.

Agreements
with other
companies.

15. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Canadian Northern Quebec Railway Company, the Grand Trunk Pacific Railway Company, the National Transcontinental Railway.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to
the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 123.

An Act respecting the Montreal, Ottawa and Georgian Bay Canal Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate 1894, c. 103;
1896 (2nd Sess.), c. 11.
and House of Commons of Canada, enacts as follows:—

1. The Montreal, Ottawa and Georgian Bay Canal Company, hereinafter called “the Company,” may commence the construction of its canals, or any of them, and expend fifty thousand dollars thereon, on or before the first day of May, one thousand nine hundred and fourteen, and may complete the said canals and put them in operation before the first day of May, one thousand nine hundred and twenty, and, subject to the provisions of this Act, may, in connection with such construction and operation, exercise all the powers granted to the Company by chapter 103 of the statutes of 1894; and if such construction is not so commenced and such expenditure is not so made, or if the said canals are not so completed and put in operation within the said periods respectively, the powers granted to the Company by Parliament shall cease and be null and void as respects so much of the said canals and works as then remains uncompleted. Time for construction extended.

2. Section 4 of chapter 130 of the statutes of 1910 is repealed. Time limit repealed.

1894, c. 103,
1896 (2nd
Sess.), c. 11,
amended.

3. Section 6 of chapter 103 of the statutes of 1894, and section 3 of chapter 11 of the statutes of 1896 (Second Session), are repealed.

Provisional
directors.

4. David Maclaren, George Patrick Brophy, William Cameron Edwards, William Hutchison and Napoleon Antoine Belcourt, all of the city of Ottawa, James B. Klock, of Klock's Mills, all in the province of Ontario, and Charles Ramsay Devlin, of the town of Aylmer, in the province of Quebec, shall be the provisional directors of the Company.

1894, c. 103
amended.

5. Paragraph (g) of section 8 of chapter 103 of the statutes of 1894 is repealed and the following is substituted therefor:—

Disposal of
power.

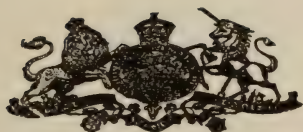
“(g) Produce, lease and supply, or otherwise dispose of surplus hydraulic, electric and other kinds of power developed in connection with and for the purposes of the works hereby authorized, the rates or prices at or for which such hydraulic and electric power may be disposed of by the Company to be fixed or determined by the Board of Railway Commissioners for Canada in accordance with the provisions of section 360A of *The Railway Act*.”

When consent
of provincial
governments
required.

6. Nothing in this Act, or in any other Act governing or affecting the Company, shall be construed to authorize or empower the Company to enter, or take, or use the public lands of the province of Ontario or Quebec without the consent of the Lieutenants Governor in Council of the respective provinces, except to the extent necessary for the purpose of constructing the canal and necessary works incidental thereto, and for the purpose of developing power necessary for the operation of the canal.

Rights of
Government
to take over
works.

7. Nothing in this Act shall affect or impair the rights of the Government of Canada under or by virtue of the provisions of the section substituted by section 5 of chapter 128 of the statutes of 1906 for section 43 of chapter 103 of the statutes of 1894.



2 GEORGE V.

CHAP. 124.

An Act to incorporate the Grand Lodge of the Loyal Order of Moose in the Dominion of Canada.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Norman Gladstone Heyd, of the city of Toronto, Incorporation.
barrister-at-law; Harry J. Cox, salesman; Thomas H. Jones, contractor; John Shayne, osteopath; Frederick W. Rose, traveller; William James McLarty, barrister-at-law; Erell Chester Ironside, barrister-at-law, all of the city of Toronto, in the province of Ontario, together with such persons as become members of the society hereby incorporated, are hereby incorporated under the name of "The Grand Lodge of the Loyal Order of Moose in the Dominion of Canada," hereinafter called "the Corporate name.
Society."

2. The persons named in section 1 of this Act shall be Provisional directors.
the provisional officers of the Society, and shall hold office until their successors are elected.

3. The head office of the Society shall be in the city of Head office.
Toronto, in the province of Ontario.

4. The Society shall be governed by a representative Governing body.
body to be known as the Grand Lodge, whose officers shall
be

be elected annually or biennially as may be determined by by-law.

Purposes.
Fraternal
union.

5. The purposes of the Society shall be as follows:—

(a) To unite fraternally all persons entitled to membership under the constitution and by-laws of the Society;

Improve-
ment.

(b) To improve the social, intellectual and moral condition of the members of the Society; and to educate them in integrity, sobriety and frugality, and to give all moral and material aid in its power to its members and those dependent upon them;

Sick fund.

(c) To establish a fund for the relief of sick and distressed members;

Benefit fund.

(d) To establish a benefit fund—

(i) for insuring a sum of money, not exceeding one thousand five hundred dollars, payable on the death of a member;

(ii) for insuring a sum of money payable for the funeral expenses of a member;

(iii) for the relief or maintenance of members in old age;

Other
advantages.

(e) To secure for its members such other advantages, other than insurance benefits, as are from time to time designated by the constitution and by-laws of the Society.

Insurance
business
basis and
premiums.

6. The insurance business of the Society shall be carried on upon the net premium reserve basis, and the premiums or contributions for the several benefits provided for shall be payable monthly, bi-monthly, quarterly, half yearly or annually in advance.

Reserves
to be
maintained.

7. The Society shall maintain—

(a) in respect of all sums payable at death the reserves required by the National Fraternal Congress Table of Mortality, and at a rate of interest of four per cent;

(b) in respect of sums payable at or during sickness or disability, such additional reserves as are required by such standard tables as may, in the opinion of the Superintendent of Insurance, be appropriate, and at the said rate of interest, all such reserves being ascertained by the net premium method.

Branches.

8. Subject to the constitution and by-laws of the Society, branches, under the name of "Lodges" or "Districts," provincial or territorial, (as the case may be), subordinate to the Society may be established in Canada under the title or number designated in the charter granted by the Society when constituting such branches; and subject to such provisions and conditions and with such powers as the Society may determine by by-law: Provided, however, that such powers shall not be in excess of those conferred upon the Society by this Act; and further provided that no

Powers of.

such branch shall have power to establish benefit funds under paragraph (d) of section 5 of this Act.

9. The Society may make rules and by-laws for the guidance of its officers and members, the control and management of its funds, the number of members composing the Grand Lodge, and generally for regulating every matter and thing proper and necessary to be done for the good of the Society and the prosecution of its objects and purposes. Rules and by-laws.

10. No sick benefits shall be paid to any member exceeding ten dollars per week, nor for a longer period than is provided for in the constitution and by-laws of the Society for the time being in force. Limitation of sick benefits.

2. Separate and distinct registers and books of account shall be kept by the Society, showing the members entitled to participate in the sick benefit fund, the receipts and payments in respect thereof, the amounts from time to time chargeable against it, and every other matter and detail of which an account ought to be kept. Sick benefit fund. Registers etc.

3. The sick benefit fund and securities representing it shall alone be available for the payment of sick benefits, and no other assets or securities of the Society shall be available for that purpose. Assets chargeable.

11. Separate and distinct registers and books of account shall be kept by the Society showing the members who, or whose representatives, are entitled to share in the mortuary funds, the receipts and payments in respect thereof, the sums from time to time chargeable against the same, and all necessary and proper details. Mortuary funds.

12. Subject to provincial laws, the Society or any branch thereof may acquire by devise, bequest, purchase, gift or lease, such real property not exceeding in the aggregate the value of one hundred thousand dollars, as is required for its actual use and occupation only, and may sell, lease or otherwise dispose thereof. Real estate.

13. Every person who is admitted a member of the Society, shall receive a certificate of membership on which shall be printed the by-laws, rules and regulations relating to membership or the conditions of membership; and so long as such conditions are complied with he shall remain a member of the Society and shall enjoy all privileges of membership. Certificate of membership. Contents and effect.

14. Within three months after the passing of this Act, a certified copy of the constitution and by-laws of the Society and of its form of certificate of membership shall be deposited Deposit of constitution, etc.

in the office of the Superintendent of Insurance; and copies of any future change in or amendment thereof shall be so deposited before they are acted on by the Society; and in default of compliance with any provision of this section the Society shall incur a penalty of ten dollars for each day during which such default continues.

Future
general
legislation.

15. Nothing herein shall exempt the Society from the effect of any legislation hereafter passed by the Parliament of Canada, with respect to any insurance powers exercised by friendly societies.

Application
of 1910, c. 32.

16. *The Insurance Act, 1910*, in so far as it is not inconsistent with this Act, shall apply to the Society.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 125.

An Act to incorporate the Northern Territorial Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. William Theophilus Stuart, of the city of Toronto, Incorporation.
in the province of Ontario, gentleman, George Ernest Holmes, dentist, and Russell Wilson, gentleman, both of the city of Saskatoon, in the province of Saskatchewan, Herbert George Harvey Neville, of the city of Edmonton, in the province of Alberta, engineer, and Livius Percy Sherwood, of the city of Ottawa, barrister-at-law, together with such persons as become shareholders in the company, are incorporated under the name of "The Northern Territorial Railway Company," hereinafter called "the Company." Corporate name.

2. The persons named in section 1 of this Act are constituted provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be eighteen million dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

4. The head office of the Company shall be at the city of Edmonton, in the province of Alberta. Head office.

Annual
meeting.

5. The annual meeting of the shareholders shall be held on the first Tuesday in September.

Number of
directors.

6. The number of directors shall be not less than five, nor more than nine, one or more of whom may be paid directors.

Line of
railway
described.

7. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point at or near Fort Churchill or Nelson on Hudson bay, thence westerly to a point on the north side of Lake Wollaston, in the province of Saskatchewan, thence westerly to a point at or near the south shore of Lake Athabasca, in the province of Alberta, thence westerly and north of the Peace River Block, thence southwesterly by the most feasible route through the Rocky Mountains to a point on the Pacific coast at or near Port Essington, or at or near the Portland Canal; and from a point on the said railway near its crossing of the Athabasca river, in the province of Alberta, thence southerly to a point at or near Fort McMurray, thence southerly at or near Lac La Biche, thence by the most feasible route to the city of Edmonton.

Consent of
municipali-
ties.

8. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and upon terms to be agreed upon with such municipality.

Special
powers.

Vessels.

9. The Company may, for the purposes of its undertaking, construct, purchase, hire, or otherwise acquire, charter, own, control and operate steam and other vessels, boats and ferries for the conveyance of cars, passengers, merchandise and cargoes on all lakes, rivers, and other navigable waters in connection with its undertaking; and may enter into agreements with the owners of such vessels, boats and ferries for any of such purposes, and may generally carry on the business of ship owners and carriers by water in connection with its undertaking, and may, subject to the provisions of *The Railway Act*, make and collect charges for all services connected therewith.

Charges.

10. The Company may carry on the business of warehousemen, wharfingers and forwarders, and for the purposes of such business may purchase, lease, construct, or otherwise acquire, hold, enjoy and manage such lands, water lots, wharfs, docks, dockyards, slips, warehouses, elevators, equipment for the handling and storage of ore and coal, offices and other buildings as it finds necessary and convenient

Warehousing
and
forwarding.

nient for its undertaking, and may charge wharfage and other dues for the use of any such property.

Rates and charges.

11. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place in the municipalities through which the railway has been constructed, and may receive, transfer, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Transmission and delivery of power and electricity.

Approval by Railway Commission.

12. Nothing in this Act or in *The Telegraphs Act* shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating, or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Consent of municipalities required for telegraph and telephone lines upon highways, etc.

13. The securities issued by the Company in respect of its railway shall not exceed forty thousand dollars per mile of its railway, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities for railway.

14. In addition to the securities authorized by section 13 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may borrow moneys for the acquisition, construction, extension or development of any of such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Issue of securities for purposes other than railway.

Limitation.

Telegraph
and
telephone
lines.

15. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for, and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with the companies having telegraph or telephone powers, and may connect its own lines with the lines of, or lease its own lines to, any such companies.

Tolls or
charges.

2. No toll or charge shall be demanded or taken for the transmission of any messages, or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

R.S., c. 126.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company.

Agreements
with other
companies.

16. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with all or any of the following companies, namely:— the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Calgary and Edmonton Railway Company and the Canadian Northern Railway Company.

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most Excellent Majesty.



2 GEORGE V.

CHAP. 126.

An Act respecting the Ontario and Ottawa Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: 1910, c. 139. Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Ontario and Ottawa Railway Act, 1912.* Short title.

2. The Ontario and Ottawa Railway Company, hereinafter called “the Company,” may commence the construction of, and expend fifteen per cent of the amount of its capital stock on, the railway authorized by section 7 of chapter 139 of the statutes of 1910, namely, from a point on the authorized line of the Canadian Northern Ontario Railway at or near Lake Couchiching, thence in a generally easterly direction to a point in the township of Snowdon in the county of Haliburton, and from a point in the township of Herschell, in the county of Hastings, thence in a generally easterly direction to or near Renfrew, thence crossing the Ottawa river and continuing in a generally southeasterly direction to a point at or near the city of Hull, or re-crossing the Ottawa river to a point at or near the city of Ottawa. Time for construction of railway extended.

3. The Company may also construct and operate a railway extending from a point on its authorized line, as Branch line authorized.
215 above

above set forth, at or near Lake Couchiching, thence in a generally westerly direction to a point on the Georgian Bay, at or near the mouth of the Severn river.

Time for
construction
limited.

4. If the said railways are not commenced and fifteen per cent of the amount of the capital stock of the Company expended thereon within two years, or are not completed and put in operation within five years, after the passing of this Act, the powers granted for the construction thereof shall cease and determine with respect to so much of the said railways as then remains uncompleted.

Issue of
securities
limited.

5. The limit to the amount of the securities which the Company may issue in respect of its railways as above set forth shall be the limit fixed by section 10 of chapter 139 of the statutes of 1910, namely, thirty-five thousand dollars per mile, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Agreement
for purchase
of Brockville,
Westport and
North-west-
ern Railway.

6. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company and the purchaser under judicial sale of the Brockville, Westport and North-western Railway, may respectively enter into an agreement with each other for the selling to and the purchase by the Company of the whole of the railway and undertaking of the Brockville, Westport and North-western Railway Company as included in such judicial sale.

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2 GEORGE V.

CHAP. 127.

An Act respecting the Ottawa, Brockville and St. Lawrence Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1900, c. 71;
1902, c. 88;
1904, c. 109;
1906, c. 137;
1908, c. 140;
1910, c. 140.

1. The Ottawa, Brockville and St. Lawrence Railway Company may, within two years after the passing of this Act, commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not commenced and such expenditure is not so made, or the said railway is not completed and put in operation, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Extension of
time for
construction.

2. Section 1 of chapter 140 of the statutes of 1910 is hereby repealed.

Repeal of
former time
limit.

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· 2 GEORGE V.

CHAP. 128.

An Act to incorporate the Ottawa and Lake McGregor Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. Norman McKay Retallack, student, William Smellie Incorporation.
Mackenzie, clerk, and Joseph Cleophas Coté, gentleman,
all of the city of Ottawa, in the province of Ontario, Gerald
Clément, of Angers, in the county of Wright and province
of Quebec, cheesemaker, and Joseph A. Duquette, miner,
of Perkin's Mills, in the province of Quebec, together with
such other persons as become shareholders in the company,
are hereby incorporated under the name of "The Ottawa Corporate
and Lake McGregor Railway Company," hereinafter called name.
"the Company."

2. The persons named in section 1 of this Act are hereby Provisional
constituted provisional directors of the Company. directors.

3. The capital stock of the Company shall be five hundred Capital stock.
thousand dollars. No one call thereon shall exceed ten per
cent on the shares subscribed.

4. The Company, if previously authorized by a resolu- Preference
tion passed by the ordinary shareholders at any annual stock.
meeting, or at any special general meeting duly called for
that purpose, at which meeting shareholders representing
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at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by the resolution.

Priority.

Status of holders.

2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority provided for by this section possess the rights and be subject to the liabilities of such shareholders.

Head office.

5. The head office of the Company shall be at the city of Ottawa in the province of Ontario.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the third Tuesday in September.

Directors.

7. The number of directors shall not be less than five nor more than nine, one or more of whom may be paid directors.

Line of railway described.

8. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point at or near the city of Ottawa, in the county of Carleton, in the province of Ontario, to a point at or near the city of Hull, in the county of Wright in the province of Quebec, and thence to a point at or near the village of Gatineau Point, and thence to a point at or near the village of Perkin's Mills, and thence to a point at or near Lake McGregor, in the said county of Wright.

Consent of municipalities.

9. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed on with such municipality.

Telegraphs and telephones.

10. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of *The Railway Act*, enter into contracts with any companies having telegraph and telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

2. No toll or charge shall be demanded or taken for the transmission of any messages or for leasing or using the telegraphs or telephones of the Company, until it has been approved by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges. Tolls and charges.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act, or with *The Railway Act*, shall apply to the telegraphic business of the Company. R.S., c. 126.

11. The securities issued by the Company shall not exceed thirty thousand dollars per mile of its railway and may be issued only in proportion to the length of railway constructed or under contract to be constructed. Issue of securities on railway.

12. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being the Canadian Pacific Railway Company, the Grand Trunk Railway Company of Canada, the Canadian Northern Ontario Railway Company, the Canadian Northern Quebec Railway Company and the Canadian Northern Railway Company. Agreements with other companies.

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2 GEORGE V.

CHAP. 129.

An Act to amend an Act of the present session intituled "An Act to incorporate the Ottawa and Lake McGregor Railway Company."

[Assented to 1st April, 1912.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Ottawa and Lake McGregor Railway Company may, for the purposes of its undertaking, construct, acquire or lease buildings for hotels or restaurants along its railway, and may carry on such business in connection therewith as tends to the comfort and convenience of the travelling public; and may lay out, manage and lease parks and summer pleasure resorts with the approval, expressed by by-law, of the municipality having jurisdiction over the place in which such parks and summer pleasure resorts are situated, and upon terms to be agreed upon by such municipality.

Hotels and restaurants.

Parks.

Consent of municipality.

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2 GEORGE V.

CHAP. 130.

An Act respecting the Ottawa, Montreal and Eastern Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient 1910, c. 141.
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. The Ottawa, Montreal and Eastern Railway Company, Time for construction of railway extended.
hereinafter called "the Company," may, within two years
after the passing of this Act, commence the construction
of its railway and expend fifteen per cent of the amount
of its capital stock thereon, and may, within five years after
the passing of this Act, complete the said railway and put
it in operation; and if, within the said periods respectively,
the said railway is not so commenced and such expenditure
is not so made, or if the said railway is not completed and
put in operation, the powers of construction conferred upon
the Company by Parliament shall cease and be null and void
as respects so much of the said railway as then remains
uncompleted.

2. The Company may commence the construction of the Time for construction of bridge or tunnel extended.
bridge or tunnel across the St. Lawrence river, authorized
by section 10 of chapter 141 of the statutes of 1910, within
three years after the passing of this Act; and if the said
bridge or tunnel is not so commenced, or if the said bridge
or tunnel is not completed within seven years after the pass-
ing of this Act, the powers of construction, for such bridge
or tunnel, granted to the Company by Parliament shall
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cease and be null and void as respects so much of the said bridge or tunnel as then remains uncompleted.

1910, c. 141,
sections
added.

Application
of Railway
Act.

Expropria-
tion.

Arbitration.

Powers of
entry.

Compensa-
tion.

R. S., c. 37,
s. 216.

3. Chapter 141 of the statutes of 1910 is amended by adding the following after section 11:—

“11A. In addition to the powers contained in *The Railway Act*, the Company may, for the purposes of its undertaking:—

“(a) appropriate and take an easement or servitude in, over, under or through any lands;

“(b) in reduction of the damage or injury to any lands taken or affected by the exercise of any of its powers, abandon or grant to the owner, or party interested therein, any portion of such lands, or any easement or servitude or interest therein, or make any structures, works, or alterations in or upon its works, for such purposes.

“2. If the Company, by its notice of expropriation, or some subsequent notice, prior to the first meeting of the arbitrators, specify its decision to take only such easement or servitude or undertake to abandon or grant such land or easement or servitude or interest in land, or to make such structures or works or alterations, the damages (including damages, if any, resulting from the change in the notice of expropriation) shall be assessed by the arbitrator or arbitrators appointed pursuant to the provisions of *The Railway Act* in view of such specified decision or undertaking, and the arbitrator or arbitrators shall declare the basis of their award accordingly, and such award, as well as such specified decision or undertaking of the Company, may be enforced by the Board of Railway Commissioners for Canada.

“11B. The Company may, before and after the commencement of any of its authorized works,—

“(a) enter into and upon any lands, buildings or structures proximate to such works, for the purpose of ascertaining the state of repair thereof and for devising the best means of avoiding any possible damage which the execution of such works might occasion thereto;

“(b) make upon or in connection therewith any works, repairs or renewals, for the purpose of preventing or mitigating any such damage.

“2. The Company shall make compensation in the manner specified in *The Railway Act* to all persons interested for the damage sustained by them (if any) by reason of the exercise of the powers in this section contained.

“3. Section 216 of *The Railway Act* shall apply to the exercise of the foregoing powers so far as is necessary to enable the Company to carry them into effect.

“**11c.** In the event of any disagreement, between the Company and any municipality whose consent is required under sections 10 and 11 of the said Act, as to the terms or conditions upon which the Company shall construct, operate or use any of its authorized works, the points of difference shall be decided by the Board of Railway Commissioners for Canada.”

Disagree-
ments to be
decided by
Railway
Commission.

4. Section 13 of chapter 141 of the statutes of 1910 is S. 13 repealed.
repealed.

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most Excellent Majesty.



2 GEORGE V.

CHAP. 131.

An Act to amend the Act of the present session intituled "An Act respecting the Ottawa, Montreal and Eastern Railway Company."

[Assented to 1st April, 1912.]

HIS Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. This Act may be cited as *The Ottawa, Montreal and Eastern Railway Amendment Act, 1912.* Short title.

2. The powers conferred upon the Ottawa, Montreal and Eastern Railway Company by sections 11A and 11B of chapter 141 of the statutes of 1910, as the said sections are enacted by section 3 of the Act of the present session intituled "An Act respecting the Ottawa, Montreal and Eastern Railway Company," shall only be exercised upon obtaining the consent of the Governor in Council thereto. Certain powers to be exercised only with consent of Governor in Council.

3. The exercise of the powers conferred by the said sections 11A and 11B shall also be subject to any general railway Act hereafter passed which provides for the expropriation by railway companies of any easement, servitude, right of way or other privilege enjoyed in, to, under, over, or in respect of any lands, or in respect of entering upon any lands, for any purpose whatsoever, or which in any way deals with any power granted by the said sections 11A or 11B; and in any respect in which such general railway Act is inconsistent with the said sections 11A or 11B, the said railway Act shall prevail. Powers of expropriation and of entering on lands to be subject to future legislation.



2 GEORGE V.

CHAP. 132.

An Act respecting the Ottawa, Northern and Western Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1901, c. 80;
1902, c. 89;
1903, c. 173;
1905, c. 142;
1909, c. 118;
1910, c. 143.

1. The Ottawa, Northern and Western Railway Company may, within two years after the passing of this Act, commence the construction of any of the railways, extensions and branches authorized to be constructed by section 1 of chapter 84 of the statutes of 1899, and by section 1 of chapter 72 of the statutes of 1900, and shall, within the said two years, expend thereon (including expenditure already made) an amount equal to fifteen per cent of its capital stock; and may complete any of the said railways, extensions and branches and put them in operation within five years after the passing of this Act; and if any of the said railways, extensions or branches is not so commenced and such expenditure is not so made, or is not so completed and put in operation, within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of such railway, extension or branch as then remains uncompleted.

Time for
construction
extended.

1899, c. 84;
1900, c. 72.

2. Chapter 143 of the statutes of 1910 is repealed.

Repeal.



2 GEORGE V.

CHAP. 133.

An Act respecting the Pacific and Atlantic Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore, His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1906, c. 138;
1908, c. 142;
1910, c. 145.

1. The Pacific and Atlantic Railway Company may commence the construction of its railway referred to in section 1 of chapter 138 of the statutes of 1906 and in section 5 of chapter 142 of the statutes of 1908, and expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure is not so made, or if the said railway is not so completed and put in operation within the said periods respectively, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for construction of railway extended.

2. Chapter 145 of the statutes of 1910 is repealed.

Repeal.



2 GEORGE V.

CHAP. 134.

An Act to incorporate the Pacific, Trans-Canada and Hudson Bay Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. George Wilmot Swaisland, banker, Maurice Kimpe, Incorporation.
civil engineer, Patrick Owen Dwyer, financial agent, James Smith, contractor, all of the city of Edmonton, in the province of Alberta, and William Johnston, barrister, of the city of Ottawa, in the province of Ontario, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Pacific, Trans-Canada and Hudson Bay Railway Company," Corporate name.
hereinafter called "the Company."

2. The persons named in section 1 of this Act are constituted provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be ten million dollars. No one call thereon shall exceed ten per cent on the shares subscribed. Capital stock.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting or at any special general meeting duly called for that purpose, Preference stock.

purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock, and preference stock so issued shall have such preference and priority, as respects dividends and otherwise, over ordinary stock as is declared by such resolution.

Rights of
preference
stock-
holders.

2. Holders of such preference stock shall be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority provided for by this section, possess the rights and be subject to the liabilities of such shareholders.

Head office.

5. The head office of the Company shall be at the city of Edmonton, in the province of Alberta.

Annual
Meeting.

6. The annual meeting of the shareholders shall be held on the second Tuesday in September.

Number of
directors.

7. The number of directors shall be not less than five nor more than nine, one or more of whom may be paid directors.

Line of
railway
described.

8. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point in the province of Alberta, at or near the city of Edmonton, thence northerly by the most feasible route to, at, or near Athabaska Landing; thence north-westerly northeast of Lesser Slave Lake to Wabiska or Loon River; thence northerly to a point at or near the junction of the Loon River with the Peace River; or at a point near the junction of the Red River with the Peace River, below Fort Vermilion on the Peace River; thence northerly to Fort Smith on the Slave River; and from a point on the said railway near its crossing of the Wabiska River, or the Loon River, easterly to Fort McMurray on the Athabaska River; thence easterly along the Clearwater River and Churchill River through the province of Saskatchewan to Fort Churchill, or Port Nelson, on the Hudson Bay; and also from a point on the said railway near its crossing of the Wabiska River, or Loon River, westerly to Peace River crossing on the Peace River; thence westerly on the north side of the river through Laurier Pass to Prince Rupert, or Portland Canal, on the Pacific Coast, in the province of British Columbia.

Consent of
municipal-
ities.

9. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway,

street or other public place, and upon the terms to be agreed upon with such municipality.

10. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway and establish offices for and undertake the transmission of messages for the public and collect tolls therefor, and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the line of, or may lease its own lines to, any such companies.

Telegraphs
and
telephones.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using the telegraph or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

Tolls and
charges.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act*, or with this Act, shall apply to the telegraphic business of the Company.

R.S., c. 126.

11. The securities issued by the Company on that part of its railway which is not in the province of British Columbia shall not exceed thirty-five thousand dollars per mile of the railway, and on that part of the railway which is in the province of British Columbia shall not exceed fifty thousand dollars per mile of the railway; and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of
securities
for
railway.

12. The Company may, subject to the provisions of *The Railway Act*, and subject also to the orders of the Board of Railway Commissioners for Canada, construct or arrange any of its railway bridges for the use of foot passengers and vehicles; and in such cases the tolls to be charged for the passage of foot passengers and vehicles shall, before being imposed, be first submitted to and approved of, and may be revised, by the said Board; but the Company may, at any time, reduce such tolls and a notice showing the tolls authorized to be charged on any such bridge shall, at all times, be posted up in a conspicuous place on the bridge.

Railway
bridges
used for
general
traffic.

Tolls and
charges.

Notices.

13. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named, for any of the purposes specified in the said section 361, such companies being the Grand Trunk Pacific Railway Company, the Canadian Pacific Railway Company, the

Agreements
with other
companies.

R.S., c. 37.

Canadian Northern Railway Company, the Western Dominion Railway Company and the Alberta Central Railway Company, and also with the Government of Canada as regards the railway to Hudson Bay.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 135.

An Act respecting patents of Edmund F. Piper.

[Assented to 12th March, 1912.]

WHEREAS Edmund F. Piper, of Fargo, in the state of Preamble.
North Dakota, one of the United States, has by his petition, represented that he is the owner of certain patents issued under the seal of the Patent Office, namely ninety-three thousand six hundred and seventy-three, dated thirteenth June, one thousand nine hundred and five, for improvements in automatic steering devices for traction engines, and number ninety-four thousand three hundred and fifty-three, dated twenty-fifth July, one thousand nine hundred and five, for improvements in traction wheels, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the Commissioner of Patents may receive from the holder of the said patents an application for certificates of payment of further fees and the usual fees for one or more terms of the said patents, and may grant and issue to such holder certificates of payment of further fees, provided for by *The Patent Act*, and extensions of the term or duration of the said patents in as full and ample a manner as if the application therefor had been duly made within the first six years from the date of the said patents. Extension of time for payment of fees. R.S., c. 69, s. 23.

2. If any person, other than any licensee, has, in the period between the expiry of six years from the date of Saving of rights acquired.
the

the said patents and the eighteenth day of November, one thousand nine hundred and eleven, commenced to manufacture, use or sell in Canada any of the patented inventions covered by the said patents respectively, such person may continue to manufacture, use or sell such inventions in as full and ample a manner as if this Act had not been passed; but this provision shall not extend to any person who, without the consent of the holder of the said patents, commenced the construction or manufacture of any of the said inventions before the expiry of the patent relating thereto.

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to the King's Most Excellent Majesty.



2 GEORGE V.

CHAP. 136.

An Act to incorporate the Premier Life Insurance Company.

[Assented to 12th March, 1912.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set
forth, and it is expedient to grant the prayer of the said
petition: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. Malcolm E. Davis, broker, Dugald McCall Hardie, Incorporation.
esquire, John Dixon Whetham, esquire, William I. D.
Lathwell, barrister, and Frank N. Garrett, esquire, all of
the city of Calgary, in the province of Alberta, together
with such persons as become shareholders in the company,
are incorporated under the name of "The Premier Life Insu- Corporate
rance Company," hereinafter called "the Company." name.

2. The persons named in section 1 of this Act shall be Provisional
the provisional directors of the Company. directors.

3. The capital stock of the Company shall be one Capital
million dollars. stock.

4. The amount to be subscribed before the general Subscription
meeting for the election of directors is called shall be two before
hundred and fifty thousand dollars. general
meeting.

5. The Company shall not commence business until Subscription
two hundred and fifty thousand dollars of the capital stock before
have been subscribed, and one hundred thousand dollars commencing
paid thereon. business.

6.

Head office. **6.** The head office of the Company shall be in the city of Calgary, in the province of Alberta.

Business which may be carried on. **7.** The Company may make contracts of life insurance with any person, and may grant, sell or purchase life annuities and endowments depending upon the contingency of human life, and may generally carry on the business of life insurance in all its branches and forms.

1910, c. 32. **8.** *The Insurance Act, 1910*, shall apply to the Company.

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2 GEORGE V.

CHAP. 137.

An Act to incorporate the Prince Edward and Hastings Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

1. G. M. Farrington and Thomas Walmsley, both of the Incorporation.
town of Picton, in the county of Prince Edward, in the
province of Ontario, W. H. Gough, of Bloomfield, in the
said county, W. P. Niles, of Wellington, in the said county,
and Harry Dempsey, of Albury, in the said county of
Prince Edward, together with such other persons as become
shareholders in the company, are hereby incorporated
under the name of "The Prince Edward and Hastings Corporate
Railway Company," hereinafter called "the Company." name.

2. The undertaking of the Company is hereby declared Declaratory.
to be a work for the general advantage of Canada.

3. The persons named in section 1 of this Act are hereby Provisional
constituted provisional directors of the Company. directors.

4. The capital stock of the Company shall be one Capital
million dollars. No one call thereon shall exceed ten per stock.
cent on the shares subscribed.

5. The Company, if previously authorized by a resolu- Issue of
tion passed by the ordinary shareholders at any annual preference
meeting stock.

meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, may issue any portion of its capital stock as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by the resolution.

Priority.

Status of holders.

2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference and priority provided for by this section, possess the rights and be subject to the liabilities of such shareholders.

Head office.

6. The head office of the Company shall be at the town of Picton, in the county of Prince Edward, in the province of Ontario.

Annual meeting.

7. The annual meeting of the shareholders shall be held on the second Wednesday in September.

Directors.

8. The number of directors shall not be less than five nor more than nine, one or more of whom may be paid directors.

Line of railway described.

9. The Company may lay out, construct and operate a railway of the gauge of four feet eight and one-half inches—

(a) from a point at or near Trenton in the county of Hastings, by the most feasible route to Gardenville, in the county of Prince Edward, thence in an easterly direction through or near Albury, Rednersville and Rossmore, in the county of Prince Edward, to the city of Belleville, in the county of Hastings; thence northwesterly to Frankford, and thence to Trenton in the said county;

(b) from some point on the above described line between Albury and Rednersville to Wellington, in the county of Prince Edward, and thence in an easterly direction through or near Bloomfield to a point at or near Picton, in the said county;

(c) from a point at or near Picton, in a northerly direction to Demorestville, thence in an easterly direction through or near Northport and Solmesville, to Ferry Point, all in the said county of Prince Edward;

(d) from Bloomfield, in the county of Prince Edward, in a southwesterly direction to West Point, in the said county;

(e) from Picton, in a southwesterly direction to West Point;

(f) from Picton in a southeasterly direction to Black River;

(g) from Picton in an easterly direction through or near Waupoos to Indian Point.

10. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon terms to be agreed on with such municipality.

Consent of municipalities.

11. The Company may, for the purposes of the conveyance of passengers, goods and merchandise, and of engaging in local, interprovincial and international traffic between the termini of the Company's railway and other places in Canada and elsewhere, construct, acquire, charter, operate and dispose of steam and other vessels of every kind and description; and may enter into agreements with owners of vessels, boats and ferries for any such purposes; and may, subject to *The Railway Act*, levy and collect tolls and charges for any services connected therewith; and may, for such purposes, construct, acquire, lease and dispose of terminal stations and facilities, wharfs, docks, elevators, warehouses, offices and other structures; and may carry on the business of forwarding agents, wharfingers and warehousemen.

Vessels, etc.

Tolls and charges.

Terminals, wharfs, etc.

Forwarding business.

12. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of *The Railway Act*, enter into contracts with any companies having telegraph and telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

Telegraphs and telephones.

2. No toll or charge shall be demanded or taken for the transmission of any messages or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

Tolls and charges.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company.

R.S., c. 126.

13. For the purposes of its undertaking and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, and transmit and deliver the same to any place in the municipalities through which the railway is built, and receive, transform, transmit, distribute and supply

Transmission and delivery of electric and other power.

supply such power or energy in any form, and dispose of the surplus thereof, and collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Consent of municipalities required for telegraph and telephone lines, etc., upon highways, etc.

14. Nothing in this Act, or in *The Telegraphs Act*, shall authorize the Company to construct or operate any telegraph or telephone lines, or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality, without the consent, expressed by by-law, of such municipality.

Issue of securities.

15. The securities issued by the Company shall not exceed thirty thousand dollars per mile of its railway in the case of a single track railway, with an additional amount of ten thousand dollars per mile of double track; and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Issue of securities for purposes other than railway.

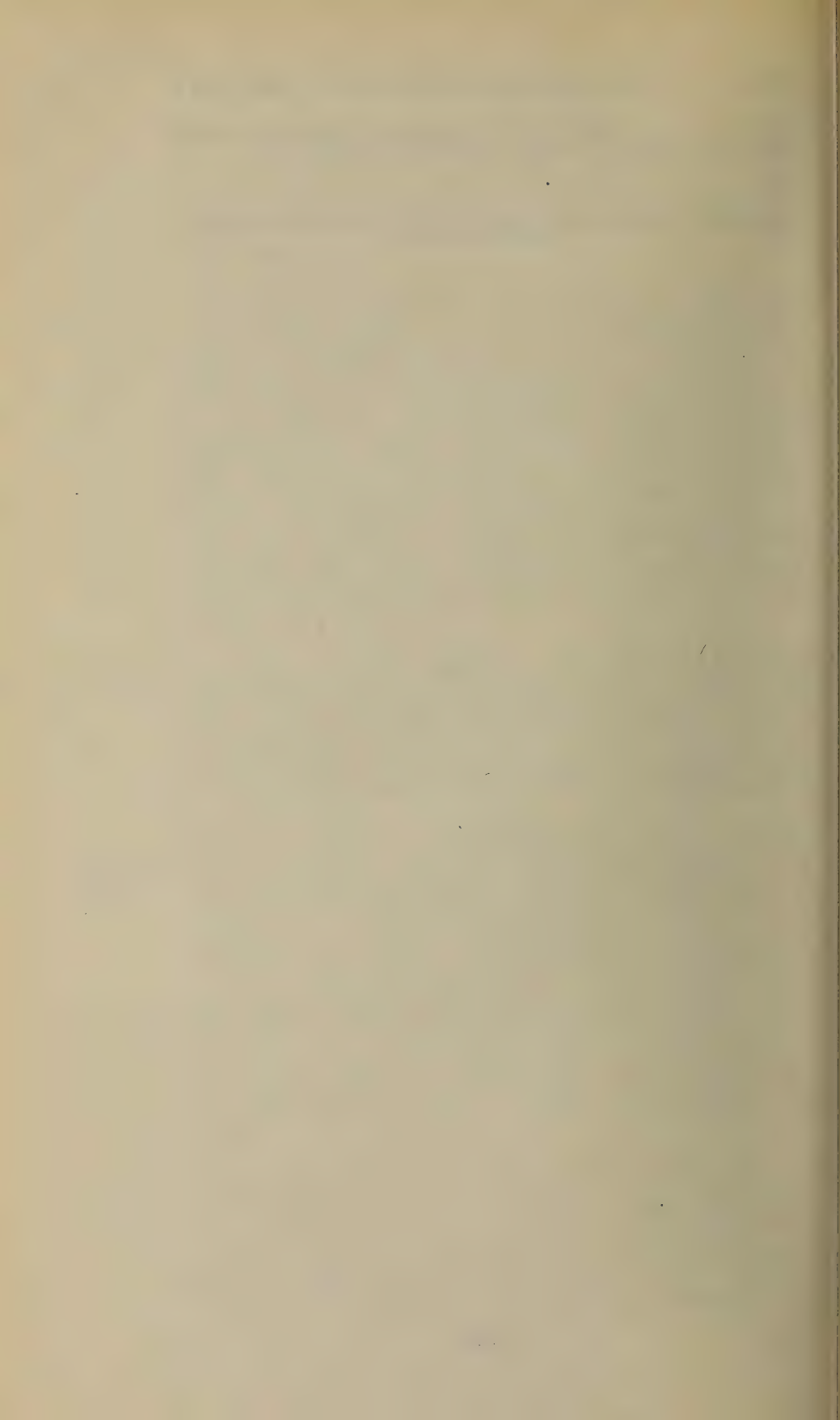
16. In addition to the securities authorized by section 15 of this Act, the directors, if previously authorized as prescribed by section 136 of *The Railway Act*, may borrow moneys for the acquisition, construction, extension or development of any of such properties, assets or works, other than the railway, as the Company is authorized to acquire, construct or operate; and, to provide for the repayment of moneys so borrowed, may issue bonds, debentures, debenture stock, perpetual or terminable, or other securities; but such bonds, debentures, debenture stock or other securities shall not exceed in amount the value of the properties, assets or works, in respect whereof the issue is made.

Agreements with other companies.

17. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being the Grand Trunk Railway Company of Canada, the Canadian Pacific Railway Com-

pany, the Canadian Northern Ontario Railway Company,
and the Canadian Northern Railway Company.

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most Excellent Majesty.





2 GEORGE V.

CHAP. 138.

An Act respecting Queen's College at Kingston, and to change its name to "Queen's University at Kingston."

[Assented to 1st April, 1912.]

WHEREAS the Board of Trustees of Queen's College at Kingston has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

- 1.** The name of Queen's College at Kingston, hereinafter called "the University," is changed to "Queen's University at Kingston," but such change of name shall not in any way impair, alter or affect the rights, powers, privileges or liabilities of the University, nor in any wise affect any suit or proceeding now pending, or judgment existing, either by, or in favour of, or against the University, which, notwithstanding such change of name, may be prosecuted, continued, completed and enforced as if this Act had not been passed.
- 2.** The management and discipline of the University shall be in every respect freed from all denominational restrictions.
- 3.** The University shall have and possess all the powers, rights and privileges heretofore possessed by Queen's College at Kingston, subject to the provisions of this Act.
- 4.** All colleges and schools which are now in affiliation with the University shall be continued in their present relations therewith, subject to the provisions of this Act.

Name
changed.

Existing
rights and
liabilities
continued.

Restrictions
removed.

Existing
rights
preserved.

Relations of
affiliated
institutions.

Existing by-laws, etc., continued.

5. All statutes, by-laws, rules and regulations of the University are continued, subject to the provisions of this Act.

Existing appointments continued.

6. The chancellor, the principal, the trustees, the professors and all others holding appointments in the University other than the professors in Theology are hereby continued in their respective offices, subject to the provisions of this Act.

Rector.

7. In addition to the chancellor elected by the Council and the principal appointed by the trustees there shall be a rector elected by the registered matriculated students of the University.

Election of Rector.

2. The manner of election of the rector shall be prescribed by by-laws of the University Council, and he shall hold office for three years, or until his successor is elected.

Corporators.

8. The corporators of the University shall be the members of the board of trustees, the professors, the graduates and the benefactors of the University.

Benefactor.

2. A benefactor is any person who shall have given at least one hundred dollars to the University.

Administration.

9. The administration of the University shall be carried on as heretofore by means of (a) a Board of Trustees, (b) a University Council, and (c) a Senate.

Board of Trustees.

10. The Board of Trustees of the University shall consist of the chancellor, the rector, the principal and the Minister of Education for the province of Ontario, who shall be *ex officio* members, an assessor appointed by the said Minister, a member appointed annually by the governing board of each affiliated college, six members elected by the University Council, six members elected by the graduates, four members elected by the benefactors and twelve members elected by the Board of Trustees.

Election and tenure of office.

11. The mode of election and tenure of office of members of the Board of Trustees, other than *ex officio* members, shall be as follows:—

- (a) The assessor appointed by the said Minister of Education shall hold office for one year;
- (b) The member appointed annually by the governing board of each affiliated college shall hold office for one year;
- (c) The members elected by the University Council shall be elected from among their own number in accordance with by-laws passed by the said Council;
- (d) The members elected by the graduates and by the benefactors shall be elected in accordance with by-laws passed by the University Council;

- (e) The twelve members elected by the Board of Trustees shall be elected in the first instance by the present Board of Trustees, and may be chosen from among the members of the present Board, and three of them shall retire annually in alphabetical order, and the places of those so retiring shall be filled by the election, by the Board of Trustees of the University, of members who shall hold office for the term of four years;
- (f) In case a vacancy occurs in the Board of Trustees by death, resignation or any cause other than effluxion of time, the vacancy shall thereupon be filled for the balance of the term by the appointing or electing person or body.

Provided, however, that the present representatives of the University Council and of the graduates on the Board of Trustees of Queen's College at Kingston shall continue in office and be members of the Board of Trustees of Queen's University at Kingston until their respective terms of office expire. Provido.

12. No professor or regular member of the staff in the University or in any affiliated college, other than a principal, shall be eligible as a member of the Board of Trustees. Who may not be trustees.

13. The chairman of any meeting of the Board of Trustees shall have a deliberative vote and also a casting vote in case of equality of votes. Votes of chairman.

14. Seven members of the Board of Trustees shall be a quorum for all purposes except for the appointment or removal of the principal or of a professor, for which purpose a quorum of thirteen shall be necessary; provided that for the removal of a principal or of a professor a two-thirds affirmative vote of those present shall be required. Quorum of Board.

15. The Board of Trustees shall be duly constituted as soon as the twelve members provided for in section 10 of this Act have been elected as hereinbefore provided, notwithstanding that all other members of the Board have not been appointed or elected, and the Board may be convened by the chancellor, and shall appoint its chairman. When new Board may be convened.

16. The Senate as at present constituted is hereby continued subject to the provisions of this Act, and the Board of Trustees, acting after consultation with the Senate, may pass any enactments in regard to the Senate which the Board thinks proper. Senate continued.

17. The University Council is hereby continued and, subject to the provisions of this Act, shall have and exercise its present powers and functions, and may in addition frame regulations or by-laws to govern the conduct of its annual elections. University Council continued.

elections and to fix the term for which its members shall hold office and the number that shall retire annually.

Affiliation
of other
institutions.

18. The University may admit to affiliation any college instituted for the promotion of the study of theology, literature, medicine, science or arts.

University
to continue
Christian.

19. The University shall continue distinctively Christian and the trustees of the University shall satisfy themselves of the Christian character of those appointed to the teaching staff. Laymen shall be eligible to any position in the University.

Degrees in
Divinity.

20. The University may confer degrees in Divinity at the instance of its Senate or of any affiliated theological college.

Payment of
fixed amount
by University
to Theological
College.

21. In order to provide for the maintenance of Queen's Theological College, the University shall, upon the incorporation of the said College and upon its being declared to be the successor of the Faculty of Theology of Queen's College at Kingston, pay to the said College the sum of two hundred thousand dollars, or transfer to it approved securities of equivalent value, within one year after the passing of this Act. Until the payment or transfer to the said College of the said money or approved securities to the said amount the University shall pay interest from the date of the coming into force of this Act at the rate of six per cent on the amount unpaid to the said College or unsecured by the transfer of approved securities.

Accommoda-
tion to be
provided by
University.

22. The University shall hold for the use and occupation of the said Theological College that portion of the building known as "The Old Arts Building," now and heretofore occupied by the Theological Faculty of Queen's College at Kingston, together with such additional portions of the said building as, in the judgment of the Board of Management of the said Theological College, may be necessary for the said College from time to time in the future, and shall provide light, heat and attendance in the said building to the satisfaction of the said Board of Management, and the said Old Arts Building shall hereafter be known as Queen's Theological Hall.

Theological
professors
on the
University
Senate.

23. Unless and until the constitution of the Senate of the University is changed so as to reduce the representation, on the said Senate, of professors of Queen's Theological College, all the professors of the said College shall be members of the said Senate: Provided that no such change shall reduce such representation to less than three.

24. The University may invest its funds in any securities in which life assurance companies are authorized by Parliament to invest. Powers of investment.

25. So much of the said Royal Charter granted by Her late Majesty Queen Victoria as aforesaid and of amending Acts as is contradictory to or inconsistent with this Act, or as makes any provision in any matter provided for by this Act other than such as is hereby made in such matter, is hereby repealed and annulled, anything in the said charter and amending Acts to the contrary notwithstanding. Provisions repealed.

26. This Act shall come into force upon the incorporation of Queen's Theological College. Commencement of Act.

OTTAWA: Printed by CHARLES HENRY PARMELEE, Law Printer to the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 139.

An Act to incorporate Queen's Theological College.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—

- 1.** In this Act, unless the context otherwise requires,— Interpreta-
tion.
- (a) "College" means Queen's Theological College;
 - (b) "University" means Queen's College at Kingston or Queen's University at Kingston, under whichever name it may be designated;
 - (c) "Faculty" means the present Faculty of Theology in Queen's College at Kingston;
 - (d) "General Assembly" means the General Assembly of the Presbyterian Church in Canada;
 - (e) "Board" means the Board of Management of Queen's Theological College.

2. The ministers and members for the time being of the Incorporation.
Presbyterian Church in Canada are incorporated under the
name of "Queen's Theological College," which is declared
to be the successor of the Faculty of Theology of Queen's Corporate
name.
College at Kingston, and to be subject to the jurisdiction of
the General Assembly.

3. Wherever in the Royal Charter incorporating Queen's Royal
Charter.
College at Kingston reference is made to the Faculty of
Theology, such reference shall apply to the College.

Present appointments and regulations.

4. All appointments in and all statutes and regulations now affecting the Faculty shall continue, subject to the provisions of this Act, and subject also, as to the teaching staff and all officers and servants and employees, to their removal by the Board.

Professors.

5. The members of the Faculty are declared to be professors in the College.

Courses of study.

6. All courses of study in the Faculty and all regulations affecting them shall continue in force subject to the provisions of this Act, and shall apply to the College in the same manner and to the same extent as they are now applicable to the Faculty, but they may be abrogated or modified by the Board.

Duties and powers of Board.

7. The government, conduct, management and control of the College, and of its property, revenues, business and affairs, shall be vested in the Board.

Board of Management.

8. The College is declared to be affiliated with the University, and the first Board shall be the provisional Board appointed by the General Assembly at its meeting in Ottawa in June, one thousand nine hundred and eleven.

No member of teaching staff eligible to Board.

9. No member of the teaching staff of the University or of the College, or of any federated or affiliated college, shall be eligible to be appointed as a member of the Board, except the principal of the University and the principal of the College.

Powers of Board.

10. All powers in respect of the Faculty which have heretofore been vested in the Board of Trustees of Queen's College at Kingston are hereby, subject to the provisions of this Act, vested in the Board of Management of Queen's Theological College.

Appointment or removal of principal or professors.

11. The Board may appoint or remove the principal and professors in the College, subject to the veto of the General Assembly, to whom such appointments or removals shall be reported.

Constitution of Board.

12. The Board shall consist of twenty-five members to be appointed by the General Assembly, five of whom shall retire annually, and in such order as is determined by the Board. The General Assembly shall annually appoint five members of the Presbyterian Church in Canada to succeed those retiring, who, however, shall be eligible for re-appointment. Vacancies by death, resignation, or other cause may be filled by the continuing members of the Board, subject to confirmation by the General Assembly. Seven members

shall constitute a quorum for regular business; but for the appointment or removal of the principal or of a professor thirteen members shall constitute a quorum.

13. The Board may also, subject to the approval of the By-laws. General Assembly, make rules and by-laws for the government of the College, and the Board may also, subject as aforesaid, constitute a Senate for the College with such Senate. powers as it deems expedient.

14. Unless and until the constitution of the Senate Theological professors on the University Senate. of the University is changed so as to reduce the representation, on the said Senate, of professors of the College, all the professors of the College shall be members of the said Senate: Provided that no such change shall reduce such representation to less than three.

15. The College may confer degrees in divinity.

Divinity degrees.

16. The College may, without license in mortmain, acquire and enjoy by gift, grant, conveyance, devise, bequest or otherwise, any real or personal property for the use of the College, in trust for the promotion of theological learning and education of youth for the holy ministry, under the authority and according to the principles and standards of the Presbyterian Church in Canada, and may sell, let, convey, or otherwise dispose thereof: Provided always, Proviso. that the College shall, within ten years after its acquisition of any such real estate, sell or otherwise dispose of and alienate so much of such real estate as is not required for the use and occupation or other like purposes of the College; and provided also that the annual value of the real estate held by, or in trust for, the College shall not exceed two hundred thousand dollars.

17. The College may invest its funds in any securities in Investment of funds. which life assurance companies are authorized by Parliament to invest.

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to the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 140.

An Act to incorporate the Quinze River and Ottawa Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. John Ambrose O'Brien, contractor; Frederick W. Rous, accountant; Peter Leo Smyth, clerk, all of the city of Montreal, in the province of Quebec; Samuel G. McClenahan, bookkeeper and William Johnston, barrister, both of the city of Ottawa, in the county of Carleton, in the province of Ontario, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Quinze River and Ottawa Railway Company," hereinafter called "the Company." Incorporation.
Corporate name.

2. The undertaking of the Company is declared to be a work for the general advantage of Canada. Declaratory.

3. The persons named in section 1 of this Act are constituted provisional directors of the Company. Provisional directors.

4. The capital stock of the Company shall be one million dollars. No one call thereon shall exceed ten per cent of the shares subscribed. Capital stock.

Head office.

5. The head office of the Company shall be in the city of Ottawa, in the province of Ontario.

Annual meeting.

6. The annual meeting of the shareholders shall be held on the third Wednesday in September.

Directors.

7. The number of directors shall be not less than five, nor more than nine, one or more of whom may be paid directors.

Line of railway described.

8. The Company may lay out, construct, equip and operate a line of railway of the gauge of four feet eight and one-half inches, from a point near Kippawa in the county of Pontiac, in the province of Quebec, northwesterly to a point at or near North Timiskaming on the Quinze river, in the said county and said province, and may make connection with the branch of the Canadian Pacific Railway at or near Kippawa in the said province.

Consent of municipalities.

9. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway, street or other public place, and upon the terms to be agreed upon with such municipality.

Telegraph and telephone lines.

10. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor; and for the purposes of operating such lines, or exchanging or transmitting messages may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

Tolls and charges.

2. No toll or charge shall be demanded or taken for the transmission of any message, or for leasing or using of the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

R. S., c. 126.

3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act* or with this Act, shall apply to the telegraphic business of the Company.

Issue of securities.

11. The securities issued by the Company shall not exceed forty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

12. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with all or any of the following companies, namely:— the Ottawa Northern and Western Railway Company, the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Development Company of Canada, the Canadian Northern Ontario Railway Company, and the Canadian Northern Quebec Railway Company.

Agreements
with other
companies.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 141.

An Act respecting the Rainy River Radial Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1910, c. 152.

1. The Rainy River Radial Railway Company may, within two years after the passing of this Act, commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not commenced and such expenditure is not so made, or the said railway is not completed and put in operation, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for construction of railway extended.

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2 GEORGE V.

CHAP. 142.

An Act respecting certain patents of Thos. D.
Rambaut.

[Assented to 12th March, 1912.]

WHEREAS Thomas D. Rambaut of the city of New Preamble.
York, in the state of New York, one of the United
States, has by his petition represented that on the seventh
day of May, in the year of our Lord one thousand nine
hundred and seven, letters patent were issued to Ernest
William Cooke of Waukesha, in the state of Wisconsin,
one of the United States, bearing the numbers 105096,
105097, 105098, 105099, 105100, 105101, for processes for
preserving vegetables by removing the water only and
leaving behind all other ingredients; that the said letters
patent granted to the said Ernest William Cooke his execu-
tors, legal representatives and assigns for the period of
eighteen years from the date thereof, the exclusive right
and privilege of making, constructing, using and lending to
others to be used in the Dominion of Canada, the said
inventions, which said letters patent were issued under the
seal of the Patent Office; that prior to the said issue thereof,
to wit on the sixth day of September, one thousand nine
hundred and six, the said Ernest William Cooke sold,
assigned and transferred to the said Thomas D. Rambaut
all his right and title to make application to the Patent
Office for issuance of letters patent covering the processes
and apparatuses described in the application theretofore
made to the Commissioner of Patents; that the said
Thomas D. Rambaut was of the opinion that a further
assignment of the right and title of the said Ernest William
Cooke was necessary; that the said further assignment

was impossible owing to the mortal illness and death of the said Ernest William Cooke and the doubt as to who were his heirs and legal representatives; that the said Thomas D. Rambaut is now advised that the said assignment of the sixth day of September, one thousand nine hundred and six, was good and sufficient and conveyed to him the right of the said Ernest William Cooke, which said assignment was registered in the Patent Office on the sixteenth day of September, one thousand nine hundred and eleven; that the said Thomas D. Rambaut is now in default respecting the manufacture of the devices covered by the said patents as provided by section 38 of *The Patent Act*, and the said patents have therefore become null and void; that the said Thomas D. Rambaut has acted in good faith throughout, and would have taken the necessary steps to comply with the provisions respecting manufacture had he been aware that the assignment to him by the said Ernest William Cooke was a good and valid assignment in accordance with the terms of *The Patent Act*; and whereas the said Thomas D. Rambaut has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Extension of
time for
construction
and
manufacture.

R. S., c. 69.

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the failure to construct or manufacture in Canada the inventions patented under the said patents shall not be deemed to have affected the validity of the said patents, but the time for such construction or manufacture shall be deemed to have been duly extended up to the end of two years from the passing of this Act, and such extension shall have the same effect as if applied for and granted within the time prescribed by *The Patent Act*.

Saving of
rights
acquired.

2. If any person, other than any licensee, has, in the period between the expiry of two years from the date of the said patents and the first day of February, one thousand nine hundred and twelve, commenced to manufacture use or sell the inventions covered by the said patents, such person may continue to manufacture, use or sell such inventions in as full and ample a manner as if this Act had not been passed: Provided that the exemption shall not extend to any person who has commenced the construction or manufacture of the said inventions before the expiry of the said patents, without the consent of the holder of the said patents.



2 GEORGE V.

CHAP. 143.

An Act to incorporate Révillon Frères Trading Company, Limited.

[Assented to 1st April, 1912.]

WHEREAS it has been made to appear that by Letters Preamble.
Patent of Canada, dated June 2, 1904, issued pursuant
to *The Companies Act, 1902*, upon the application of Révillon 1902, c. 15.
Frères, a company duly incorporated under the laws of the
Republic of France, the shareholders of the said Révillon
Frères were incorporated in Canada under the name of
“Révillon Brothers, Limited,” and, in accordance with *The*
Companies Act, 1902, rights, property and obligations of
the said Révillon Frères were declared to be transferred to
Révillon Brothers, Limited, the company so incorporated
in Canada; and whereas no provisional directors were
named in the said letters patent and the company so
incorporated in Canada has not organized and cannot
organize thereunder and is therefore incapable of convey-
ing property or otherwise acting; and whereas it has been
made to appear that all of the assets now vested in Révillon
Brothers, Limited, have been paid for out of the funds of
Révillon Frères, the French corporation; and whereas the
said Révillon Frères, the French corporation, and its share-
holders, desire by this Act to have vested in the company
incorporated by this Act the assets in Canada which were
so declared to be vested in the said Révillon Brothers,
Limited, and all of the assets which now are or may be
vested in the said Révillon Brothers, Limited; and whereas
a petition has been presented praying that it be enacted as
herein set forth, and it is expedient to grant the prayer of the
said petition: Therefore His Majesty, by and with the

advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Incorporation.

1. Victor Révillon and Albert Révillon, merchants, both of the city of Paris, France; Thierry Mallet, merchant, of the city and district of Montreal; Gordon Walters MacDougall, King's Counsel, and Lawrence Macfarlane, advocate, both of the city and district of Montreal, together with such persons as become shareholders in the company, are hereby incorporated under the name of "Révillon Frères Trading Company, Limited," hereinafter called "the Company."

Corporate name.

Provisional directors.

2. The persons named in section 1 of this Act are hereby constituted the first or provisional directors of the Company.

Capital stock.

3. The capital stock of the Company shall be two million dollars, divided into shares of one hundred dollars each, and may be issued and allotted by the directors as they deem necessary.

Head office.

4. The head office of the Company shall be in the city of Montreal, in the province of Quebec, or at such place in Canada as is from time to time determined by by-law of the Company.

Business and powers.

5. The Company may—

Manufacture and sale of furs, etc.

(a) manufacture, buy, sell, trade and deal in furs, skins, leathers and other commercial articles and merchandise of every description, and carry on all other detail branches of business usual or conveniently connected with any such businesses as aforesaid;

Acquisition of property.

(b) purchase or otherwise acquire, hold, lease or otherwise dispose of any real or personal property, rights or privileges which may be necessary or useful for the carrying on of the business of the Company: Provided that, excepting for the purposes set forth in paragraph (f) of section 10 of this Act, nothing herein shall be construed as enabling the Company to acquire real estate beyond what is necessary for the carrying on of its business aforesaid;

Vessels, buildings, etc

(c) construct, acquire, own, manage, charter, operate, hire, or lease all kinds of steam and sailing vessels, boats, tugs, and barges, and other vessels, wharfs, docks, elevators, warehouses, freight sheds and other buildings necessary or convenient for the purposes of the Company;

Acquisition of business or property of similar companies.

(d) purchase or otherwise acquire or undertake all or any part of the business, property, assets or liabilities of any partnership or company carrying on business with objects similar in whole or in part to those of the Company;

(e) issue paid up shares, bonds, debentures or other securities for the payment either in whole or in part of any property real or personal, rights, claims, privileges, concessions or other advantages which the Company may lawfully acquire; and also issue such fully paid shares, bonds, debentures or other securities in payment, part payment or exchange for the shares, bonds, debentures, or other securities of any other company doing business similar in whole or in part or incidental to the business of the Company;

Issue of
paid up
securities
for above
purposes.

(f) purchase, acquire, hold and own the capital stock, bonds or other securities of any other company, corporation or individual carrying on or engaged in any business which the Company is empowered to carry on or engage in; and acquire, hold, pledge or otherwise dispose of such shares, bonds or other securities;

Acquisition
etc., of
securities of
similar
companies.

(g) raise and assist in raising money for, and aid by way of bonus, loan, promise, endorsement, guarantee of bonds, debentures or otherwise, any other company or corporation;

Money aid
to other
corporations.

(h) invest the moneys of the Company not immediately required in such manner as may from time to time be determined;

Investment
of moneys
of Company.

(i) amalgamate with any other company or companies having objects similar to those herein enumerated;

Amalgama-
tion.

(j) sell, lease, exchange, or otherwise dispose of, in whole or in part, the property, rights or undertakings of the Company for such consideration as may be agreed upon, and, in particular, for shares, debentures or securities of any other company having objects similar altogether or in part to those of the Company; and distribute among the shareholders of the Company in kind any of the shares, debentures or securities so received, provided that the paid up capital of the Company is not thereby impaired;

Disposal of
Company's
property,
etc.

(k) enter into any arrangements with any governments or authorities, supreme, municipal, local or otherwise, that may seem conducive to the Company's objects or any of them; and obtain from any such government or authority any rights, privileges and concessions which it may be desirable to obtain; and carry out, exercise and comply with, or sell and dispose of any such arrangements, rights, privileges and concessions;

Arrange-
ments with
governments
and other
authorities.

(l) do all other acts and things which are incidental or conducive to the attainment of the above objects or any of them, and carry on any business germane to the purposes and objects set forth and which may seem to the Company capable of being conveniently carried on or calculated directly or indirectly to enhance the value of or to render profitable any of the Company's properties or rights.

Powers
incidental to
the above
purposes.

Transmission
and delivery
of power and
electricity.

Approval
by Railway
Commission.

Consent of
municipali-
ties required
for telegraph
and telephone
lines upon
highways,
etc.

R. S., c. 126.

Acquisition
of property,
etc., of
Révillon
Brothers,
Limited.

Method of
conveyance.

Issue of
paid-up
shares to
Révillon
Frères, as
price.

Limitation
to value of
property
acquired.

6. For the purposes of its undertaking, and subject to the provisions of section 247 of *The Railway Act*, the Company may acquire, but not by expropriation, electric or other power or energy, which may be transmitted and delivered to any place in the district in which the business of the Company is carried on; and may receive, transform, transmit, distribute and supply such power or energy in any form, and may dispose of the surplus thereof, and may collect rates and charges therefor; but no such rate or charge shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

7. Nothing in this Act, or in *The Telegraphs Act*, shall authorize the Company to construct or operate any telegraph or telephone lines or any lines for the purpose of distributing electricity for lighting, heating or motor purposes, or disposing of surplus power generated by the Company's works and not required for the undertaking of the Company, upon, along or across any highway or public place, without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over such highway or public place, and upon terms to be agreed on with such municipality, or to sell, dispose of or distribute power or energy within or for use within the limits of any municipality without the consent, expressed by by-law, of such municipality.

8. The Company may acquire the property and assets, movable and immovable, rights, claims, privileges and choses in action, situated in any place throughout Canada, belonging to or the property of, or purporting to belong to or to be the property of, Révillon Brothers, Limited, as incorporated by Letters Patent of Canada, dated June 2nd, 1904.

2. For the purposes of such acquisition Thierry Mallet, of the city of Montreal, merchant, and Edmond Mathieu of the said city, merchant, or either of them, may, for and in the name of the said Révillon Brothers, Limited, execute and deliver all deeds and instruments of conveyance and do all other things requisite.

3. Shares of the Company may be issued at par and allotted as fully paid-up shares to Révillon Frères, a company duly incorporated under the laws of the Republic of France, in consideration for and as the purchase price of the said property, assets, movable or immovable, rights, claims, privileges or choses in action,—but no such issue or allotment shall be made to an amount exceeding the value of the said property, assets, movable or immovable, rights, claims, privileges or choses in action, as determined by a

proper valuation thereof duly approved by the directors of the Company.

9. The Company is hereby declared to be and shall be responsible for all obligations, debts and liabilities of the said Révillon Brothers, Limited; and all suits, actions and proceedings now pending against the said Révillon Brothers, Limited, may be prosecuted to a conclusion against the Company and all judgments existing, either in favour of or against the said Révillon Brothers, Limited, may be enforced by or against the Company.

Company to be liable for obligations of Révillon Brothers.

10. The following rights, powers and privileges originally granted to Révillon Brothers, Limited, by chapter 154 of the statutes of 1906 and as hereinafter modified and declared, shall be extended to and shall be used and enjoyed by the Company incorporated by this Act, to wit:—

Powers under 1906, c. 154 transferred to Company incorporated by this Act.

(a) The Company may make contracts with any government, corporation or person for the carriage of the mails in any portion of the territory in which its fur and trading posts are now or hereafter may be established;

Carriage of mails.

(b) The Company may buy, construct, lease, own and operate ships and vessels for the carriage of passengers and of merchandise, and may carry on the business of wharfingers and warehousemen;

Vessels.

Wharfinger business.

(c) For the purposes of its undertaking and subject to the provisions of *The Railway Act*, the Company may construct and operate telegraph and telephone lines between any of its posts or settlements, as may be designated by order in council; and, for the purposes of operating such lines or exchanging and transmitting messages, may enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of any such companies;

Telegraph and telephone lines.

R.S., c. 37.

The Company may transmit messages for the public and collect rates or charges therefor, but no rate or charge shall be demanded or taken for the transmission of any message or for leasing or using the telegraphs or telephones of the Company until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges;

Rates and charges.

Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with *The Railway Act*, or with this Act, shall apply to the telegraphic business of the Company;

R.S., c. 126.

(d) The Company may buy, lease, develop and sell timber limits and rights, and in connection therewith build, erect, establish, own and operate saw mills and their accessories and sell and manufacture the products thereof;

Timber limits.

Saw mills.

(e) The Company may buy, lease, own, sell and operate mines and the products thereof and deal in mining claims of every description;

Mining.

Land for
colonization.

Fishing and
hunting.

Money
forwarding.

Powers to
borrow
money, issue
bonds, etc.

(f) The Company may buy, lease, sell, own and develop land for the purposes of colonization and of settlement;

(g) The Company may buy, sell, lease and dispose of fishing and hunting rights and privileges;

(h) The Company may carry on the business of a money forwarder by post, telegraph or other means, in such portions of the territories and provinces of Canada as may be authorized by order in council in which its fur and trading posts are now or are hereafter established;

(i) If authorized by by-law, sanctioned by a vote of not less than two-thirds in value of the subscribed stock of the Company represented at a general meeting duly called for considering the by-law, the directors may from time to time—

(1) borrow money upon the credit of the Company;

(2) limit or increase the amount to be borrowed;

(3) issue bonds, debentures, or other securities of the Company for sums not less than one hundred dollars each, and pledge or sell the same for such sums and at such prices as may be deemed expedient: Provided that such bonds, debentures or other securities may be for sums not less than twenty pounds sterling, five hundred francs, or four hundred marks, or for sums not less than the nearest equivalent in round figures of other money to one hundred dollars in Canadian currency;

(4) hypothecate, mortgage or pledge the real or personal property of the Company, or both, to secure any such bonds, debentures, or other securities, and any money borrowed for the purposes of the Company;

Nothing in this paragraph (i) contained shall limit or restrict the borrowing of money by the Company on bills of exchange or promissory notes made, drawn, accepted or endorsed by or on behalf of the Company.

Qualification
of directors.

11. At least two directors shall be residents of Canada and subjects of His Majesty.

Classes of
directors and
their powers.

2. The Company may by by-law divide the directors into two groups, and may enact that some or all of the powers of the directors shall be exercised only at a meeting at which representatives of both groups are present; and may further enact that in order that a motion put at a directors' meeting may be declared carried it must be supported by representatives of both groups.

Repeal.

12. Chapter 154 of the statutes of 1906 is hereby repealed.

13. Sections 127, 136, 137, 141 and 168 of *The Companies Act* shall not apply to the Company. As to application of R.S., c. 79.

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most Excellent Majesty.



2 GEORGE V.

CHAP. 144.

An Act to incorporate the Roman Catholic Episcopal Corporation of Keewatin.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Right Reverend Ovide Charlebois, and his successors, being Vicars Apostolic of the Vicariate Apostolic of Keewatin, in communion with the Church of Rome, are incorporated under the name of "The Roman Catholic Episcopal Corporation of Keewatin," hereinafter called Incorporation.
Corporate name.
"the Corporation."

2. All lands, tenements and hereditaments and property, Property
of Corporation.
real and personal, and all burial grounds, churches, schools, colleges, chapels, seminaries and other buildings now belonging to and used, held, occupied and possessed or enjoyed by the said Right Reverend Ovide Charlebois, or his church, in communion with the Church of Rome, or by the Corporation, and which are situate within the said Vicariate Apostolic of Keewatin, are declared to be vested in the Corporation for the general uses and purposes thereof, subject however to all existing rights of property therein, and to all liens and incumbrances thereon, had or held by, or vested in any person, or body politic, other than the said Right Reverend Ovide Charlebois.

Property
may be
acquired.

3. Any person, body politic or episcopal corporation in whom or in whose name any lands, tenements or hereditaments, or other property, real or personal, are now or shall or may be hereafter vested, in trust or otherwise, for the benefit of the Roman Catholic Church within the said Vicariate, may grant, convey, assign or transfer by deed or otherwise in the usual way according to the law of the province or district in which the same may be situate, the said lands, tenements, hereditaments and other property, real and personal, of every nature and kind whatsoever to the Corporation, for the uses and purposes thereof, subject however to all lawful charges and liens thereon, and subject also to the provisions of the laws of the respective provinces or districts.

Real and
personal
property.

4. The Corporation may take, hold and receive any real or personal property, notes, bonds, mortgages and agreements or other obligations for the payment of money, by virtue of any purchase, agreement, voluntary conveyance or of any last will or testament of any person whatsoever, subject however to the laws of the respective provinces or districts; provided that the annual value of the real property held by or in trust for the Corporation shall not exceed fifty thousand dollars.

Property
may be
disposed of.

5. The Corporation may sell, exchange, alienate, let, demise, lease or otherwise dispose of any property, real or personal, belonging to or vested in the Corporation, and also purchase and acquire other property, real or personal, for the use and purposes of the Corporation, subject however to the same local laws: Provided always, that the Corporation shall, within ten years after its acquisition of any such real estate, sell or otherwise dispose of and alienate so much of such real estate as is not required for the use and occupation or other like purposes of the Corporation.

Proviso.

Borrowing
powers.

6. The Corporation may borrow money on the property, real or personal, of the Corporation for the purpose of paying off the debts, mortgages or other claims against the Corporation, or of purchasing real estate or other property for the use and purposes of the Corporation, or for the purpose of erecting, finishing, embellishing or repairing any church, chapel, schoolhouse, seminary, or residence for the use of the bishop or of the clergymen of the said Vicariate: Provided that the persons from whom such moneys shall be borrowed, on any such mortgage security, shall not be obliged to see to the application of the said moneys.

Limitation.

Powers.

7. The said Vicar Apostolic of the Vicariate of Keewatin, for the time being, may, in the name of the Corporation, make or execute any deed, mortgage, conveyance, demise,

release or assignment of the whole or any part of the real estate acquired or held by the Corporation, with the consent in writing of his coadjutor, or senior Vicar-General, and one additional clergyman, to be selected by the said Vicar Apostolic, for the time being; and in case there shall happen to be no coadjutor, or Vicar-General, or in case they shall be incapacitated by sickness, infirmity or any other cause, or shall happen to be absent at the time, then with the consent in writing of two clergymen, to be selected by the said Vicar Apostolic; and all such selections and such consent, as aforesaid, shall appear upon the face of the deed or other instrument in writing intended to be executed by the Corporation, and shall be testified to, by the said Vicar Apostolic and coadjutor, or senior Vicar-General, and one additional clergyman, or such two other clergymen as aforesaid, as the case may be, being made parties to and signing and sealing all such deeds, mortgages or other instruments in writing, in the presence of two credible witnesses, as consenting parties thereto respectively.

Conditions.

8. A declaration or recital in the deed, mortgage or other instrument in writing, that it has been executed by the persons and in the manner mentioned in the next preceding section, shall be sufficient evidence of the matters therein stated; and any statutory discharge of mortgage, release or receipt for the payment of money, being a charge on land, required to be given or executed by the Corporation, shall be deemed to be valid and sufficiently executed if the seal of the Corporation be affixed thereto, and if the same be signed in the presence of one witness by the Vicar Apostolic of the said Vicariate, for the time being, and his coadjutor, or senior Vicar-General, with one additional clergyman, or by two clergymen, in the event of there being no coadjutor, or Vicar-General, or in the event of the coadjutor and senior Vicar-General being absent or incapacitated by sickness, infirmity or any other cause; and no recitals shall be necessary therein or therefor.

Declaration in deed to be evidence of transaction.

9. In case the Vicar Apostolic, for the time being, of the said Vicariate shall, from absence, or from sickness, infirmity or any other cause, become incapable or incapacitated to perform his duties in the said Vicariate, then his coadjutor or the person or persons administering the Vicariate, for the time being, shall, during such absence, sickness, infirmity or incapacity, have the same powers as are, by this Act, conferred upon the said Vicar Apostolic.

Substitutes for Vicar Apostolic in certain cases.

10. Whenever the said Vicariate, or any part thereof, is erected into a diocese, the incorporation hereby created shall thereupon apply to such diocese; and the Bishop thereof,

Application of Act when diocese created.

thereof, and his successors, for the time being, in communion with the Church of Rome, shall be deemed to be and to constitute the Roman Catholic Episcopal Corporation of Keewatin, being the Corporation hereby created, and shall have and possess, under the said corporate name, all the powers, rights and privileges, and be subject to the same restrictions and limitations in respect thereof as are contained in this Act.

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most Excellent Majesty.



2 GEORGE V.

CHAP. 145.

An Act to incorporate the Bank of Saskatchewan.

[Assented to 12th March, 1912.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set
forth, and it is expedient to grant the prayer of the said
petition: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of
Canada, enacts as follows:—

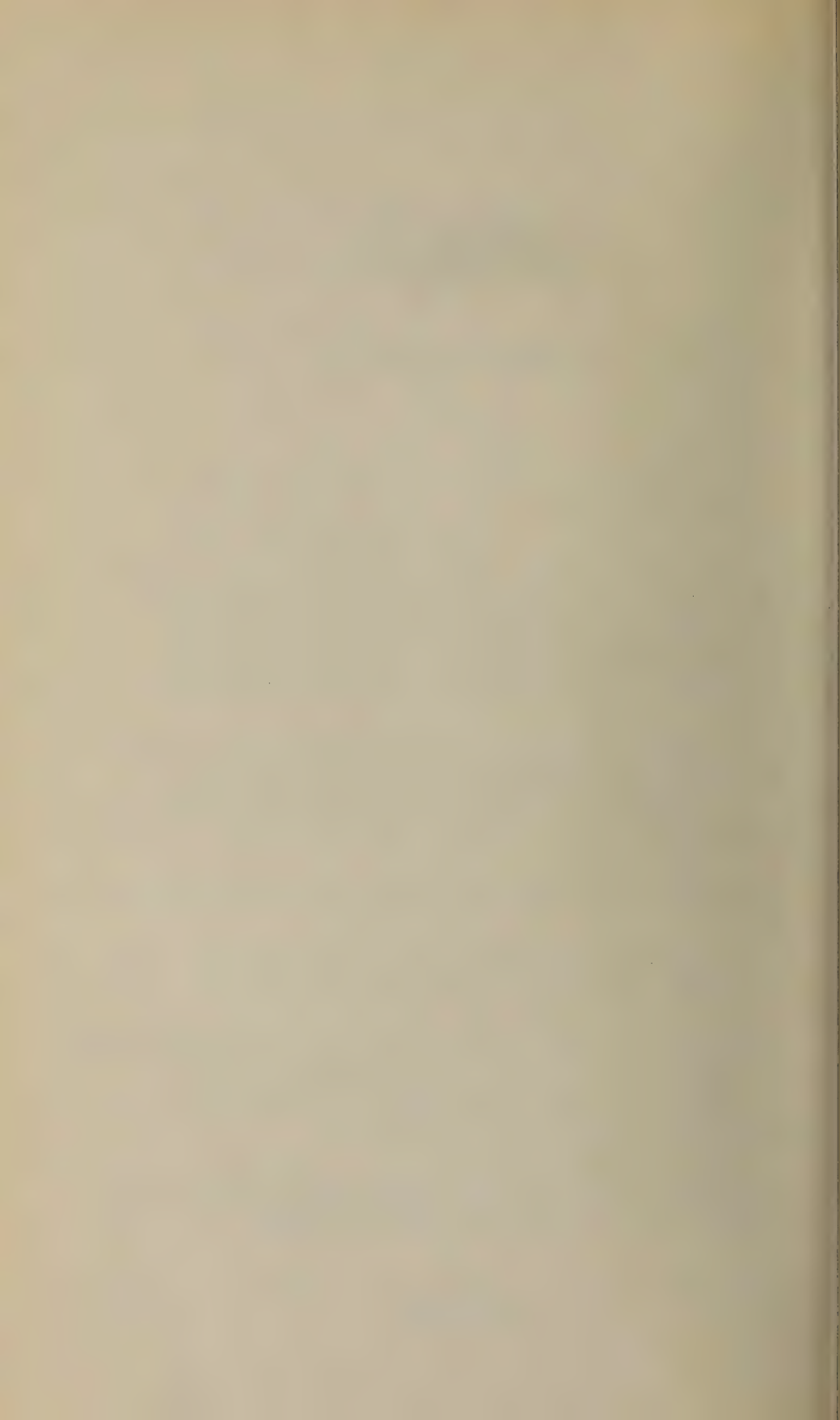
1. The persons hereinafter named, together with such Incorpo-
ration.
others as become shareholders in the corporation by this
Act created, are hereby constituted a corporation by the
name of "The Bank of Saskatchewan," hereinafter called Corporate
name.
"the Bank."

2. The capital stock of the Bank shall be one million Capital.
dollars.

3. The chief office of the Bank shall be at the city of Chief
office.
Moosejaw, in the province of Saskatchewan.

4. Henry Y. Smith, Richard Henry Clarke, Lewis M. Provisional
directors.
Rosevear, Harry F. Stirk, Richard Loney, Joseph A.
Caulder, J. Edward Caldwell and J. Wright Sifton, all of
the city of Moosejaw, in the province of Saskatchewan,
shall be the provisional directors of the Bank.

5. This Act shall, subject to the provisions of section 16 Duration of
charter.
of *The Bank Act*, remain in force until the first day of July, R.S., c. 29,
s. 16.
in the year one thousand nine hundred and thirteen.





2 GEORGE V.

CHAP. 146.

An Act respecting the Saskatchewan Central Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

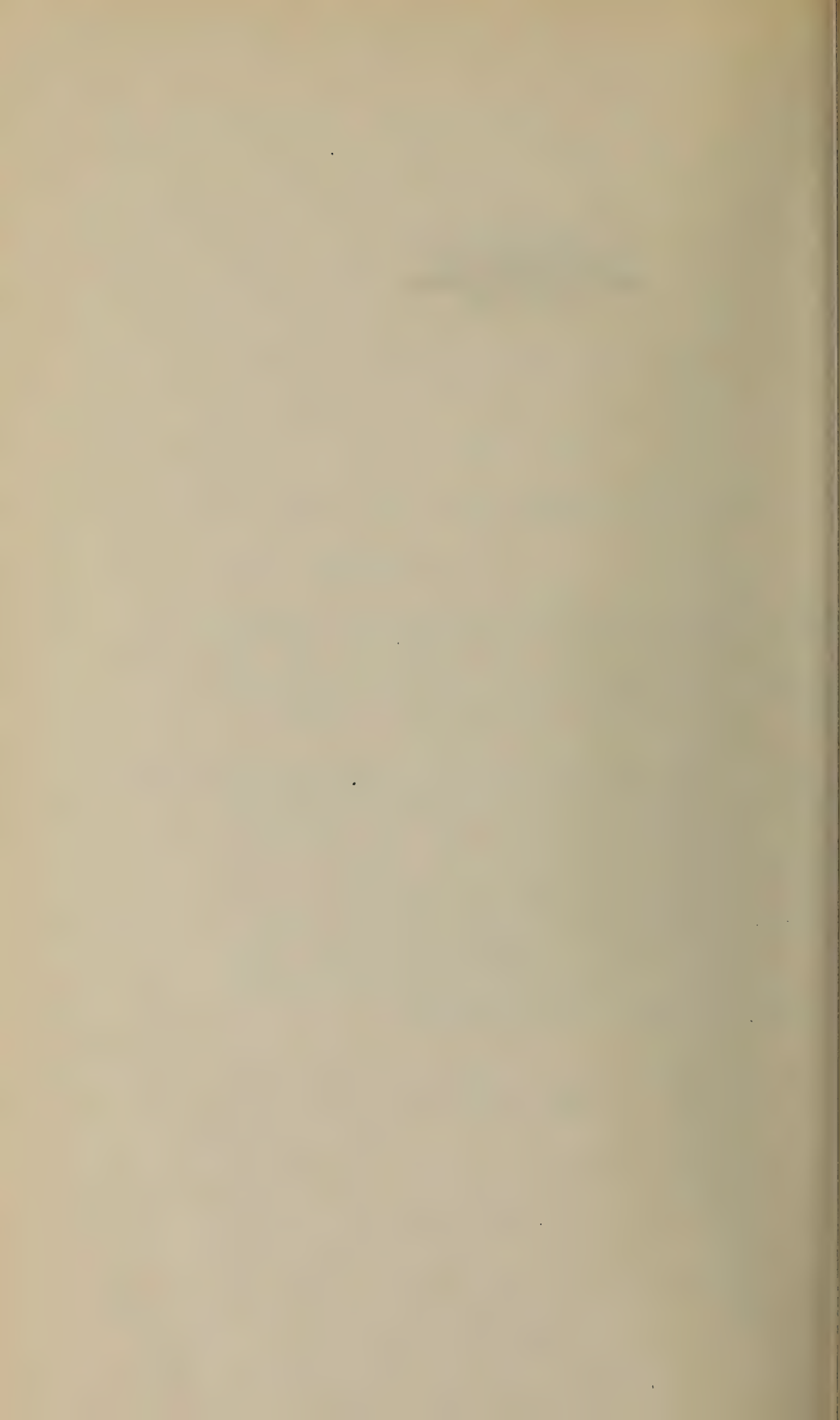
Preamble.

1910, c. 160.

1. The Saskatchewan Central Railway Company may, within two years after the passing of this Act, commence the construction of its railway and expend fifteen per cent of the amount of its capital stock thereon, and may, within five years after the passing of this Act, complete the said railway and put it in operation; and if, within the said periods respectively, the said railway is not commenced and such expenditure is not so made, or the said railway is not completed and put in operation, the powers of construction conferred upon the said Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Extension
of time for
construction.

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most Excellent Majesty.





2 GEORGE V.

CHAP. 147.

An Act to incorporate the Saskatchewan Life Insurance Company.

[Assented to 12th March, 1912.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set
forth, and it is expedient to grant the prayer of the said
petition: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. Charles Willoughby, capitalist, William Henry Incorporation.
Duncan, lumber merchant, David Low, physician, William
Thomas Mollard, gentleman, and George Herbert Barr,
barrister, all of the city of Regina, in the province of Sas-
katchewan, together with such persons as become share-
holders in the company, are incorporated under the name of
“The Saskatchewan Life Insurance Company,” hereinafter Corporate name.
called “the Company.”

2. The persons named in section 1 of this Act shall be Provisional directors.
the provisional directors of the Company.

3. The capital stock of the Company shall be one mil- Capital stock.
lion dollars.

4. The amount to be subscribed before the general meet- Subscription before organization.
ing for the election of directors is called shall be two hun-
dred and fifty thousand dollars.

5. The Company shall not commence business until Subscription before commencing business.
two hundred and fifty thousand dollars of the capital stock
have

have been subscribed and one hundred thousand dollars paid thereon.

Head office. **6.** The head office of the Company shall be in the city of Regina, in the province of Saskatchewan.

Business authorized. **7.** The Company may effect contracts of life insurance with any person, and may grant, sell or purchase life annuities and endowments depending upon the contingency of human life, and generally carry on the business of life insurance in all its branches and forms.

1910, c. 32. **8.** *The Insurance Act, 1910*, shall apply to the Company.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 148.

An Act respecting the Saskatchewan Power Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.

1908, c. 154.

1. Section 2 of chapter 154 of the statutes of 1908 is amended by striking out all the words after the word “river” in the sixth line thereof, and substituting the following therefor:—“Provided that, either during or after the construction of such dam or dams, such arrangements shall be made and maintained free of charge by the Company for the transmission of timber, saw logs, or lumber, and for free navigation by vessels of all kinds, as may be required by the Governor in Council.”

S.2 amended.

Construction of dams.

Passage of timber and boats.

2. Subsection 2 of section 3 of the said Act is amended by inserting the words “or because of” immediately after the word “for,” in the second line thereof, and by adding at the end of the said subsection the following:—“and the Company shall in all respects conform to such plans so approved, unless the Governor in Council shall thereafter in like manner approve of any variation thereof.”

S.3 amended.

Deposit of plans.

Approval of Governor in Council.

3. Subsection 3 of section 3 of the said Act is amended by inserting the words “or because of,” immediately after the word “for,” in the fifth line thereof.

S.3 amended.
Taking of lands.

New s. 16.

Time for
completion
of dam.

4. Section 16 of the said Act is repealed, and in lieu thereof it is hereby enacted that if a dam, constructed in accordance with the provisions of the said Act as amended by this Act, is not completed by the Company on, or before, the thirty-first day of December, nineteen hundred and fourteen, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the works described in section 2 of the said Act as then remains uncompleted.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 149.

An Act respecting the Security Life Insurance Company of Canada.

[Assented to 12th March, 1912.]

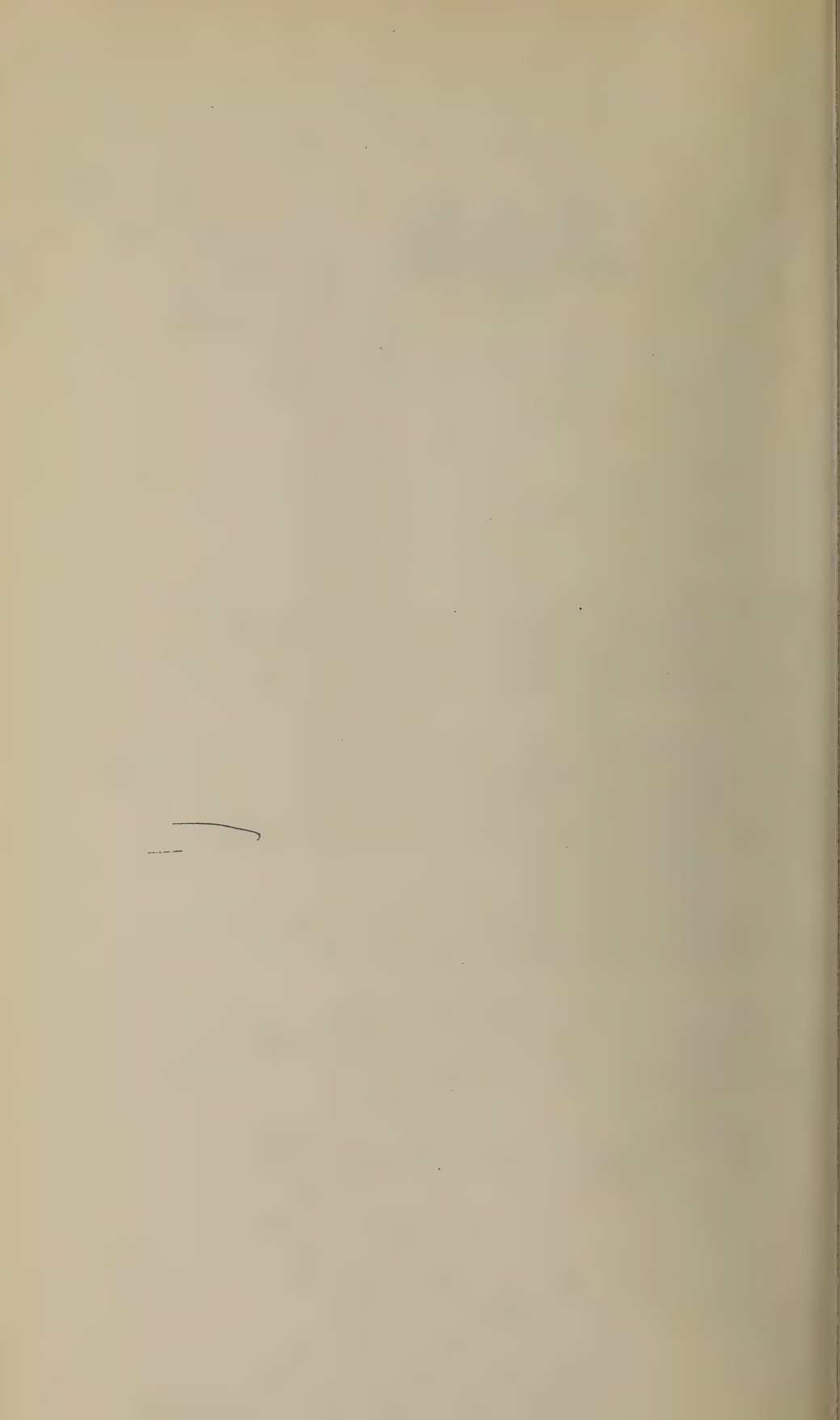
WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His
Majesty, by and with the advice and consent of the Senate
and House of Commons of Canada, enacts as follows:—
1907, c. 120;
1909, c. 123.

1. The Security Life Insurance Company of Canada English or
French name
may be used.
may use in any of its transactions the name of “La Sécurité
du Canada Compagnie d’Assurance sur la Vie,” in place
of “The Security Life Insurance Company of Canada,”
and may contract and otherwise bind itself under either
of the said names.

2. Paragraph (e) of section 146 of *The Insurance Act*, 1910, c. 32.
1910, shall not apply to the said company until the third Directors.
annual meeting after the passing of this Act.

3. Section 4 of chapter 120 of the statutes of 1907 is 1907, c. 120,
s. 4 amended
amended by striking out the words “Provided, however,
that no policies entitling the holders thereof to participate Business.
in profits shall be issued by the Company.”

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the King's most Excellent Majesty.





2 GEORGE V.

CHAP. 150.

An Act for the relief of Keitha Seeley.

[Assented to 1st April, 1912.]

WHEREAS Keitha Seeley, presently residing in the Preamble.
township of Thurlow, in the county of Hastings,
in the province of Ontario, wife of Job Earl Seeley, formerly
of the city of Belleville, in the province of Ontario, has by
her petition alleged, in effect, that they were lawfully
married on the twelfth day of December, A.D. 1906, at
the said city of Belleville, she then being Keitha Brown,
a spinster; that the legal domicile of the said Job Earl
Seeley was then and is now in Canada; that at the city
of Rochester, in the state of New York, one of the United
States of America, on or about the tenth day of August,
A.D. 1910, he unlawfully went through a form of marriage
with one Frances Hans, of the said city of Rochester, and
committed adultery with the said Frances Hans; that
the said Keitha Seeley has not connived at nor condoned
the said adultery; that there has been no collusion, directly
or indirectly, between him and her in the proceedings for
divorce; and whereas by her petition she has prayed for
the passing of an Act dissolving her said marriage, author-
izing her to marry again, and affording her such other
relief as is deemed meet; and whereas the said allegations
have been proved, and it is expedient that the prayer of
her petition be granted: Therefore His Majesty, by and with
the advice and consent of the Senate and House of Commons
of Canada, enacts as follows:—

1. The said marriage between Keitha Brown and Job Marriage
Earl Seeley, her husband, is hereby dissolved, and shall dissolved.
be henceforth null and void to all intents and purposes
whatsoever.

Right to
marry again.

2. The said Keitha Brown may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said Job Earl Seeley had not been solemnized.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 151.

An Act respecting the South Ontario Pacific Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

Preamble.
1887, c. 85;
1889, c. 70;
1891, c. 92;
1896 (1st
Sess), c. 35;
1906, c. 161;
1908, c. 157;
1910, c. 163.

1. The South Ontario Pacific Railway Company, hereinafter called "the Company," may lay out, construct and operate a railway from a point at or near Hamilton in a southerly and southeasterly direction to a point on the Niagara river, at or near the city of Niagara Falls, in the province of Ontario.

Line of
railway
authorized.

2. The Company may commence the construction of the railway authorized by section 1 of chapter 92 of the statutes of 1891, and the railway authorized by section 1 of this Act, and expend fifteen per cent of the amount of its capital stock thereon (including expenditure heretofore made), within two years after the passing of this Act and may complete the said railways and put them in operation within five years after the passing of this Act, and may complete its bridge within seven years after the passing of this Act; and if the said railways are not so commenced, and such expenditure is not so made or if the said railways and bridge are not so completed and put in operation, within the said periods respectively, the powers of construction conferred upon the Company by Parliament shall

Time for
construction
of railway
and bridge
extended.

cease and be null and void as respects so much of the said railways and bridge as then remains uncompleted.

Agreement
with C.P.R.

3. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into an agreement with the Canadian Pacific Railway Company, and may lease its undertaking and the railways which it is authorized to construct to the said Canadian Pacific Railway Company, but the approval of the shareholders of the said Canadian Pacific Railway Company to such agreement and lease shall be sufficient if the provisions of section 6 of chapter 47 of the statutes of 1890 are complied with.

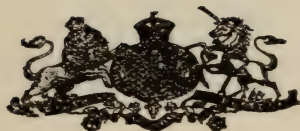
Issue of
securities.

4. The limit to the amount of the securities issued by the Company in respect of its railway shall not exceed fifty thousand dollars per mile of its railway, and such securities may be issued only in proportion to the length of railway constructed or under contract to be constructed.

Time limit
repealed.

5. Chapter 163 of the statutes of 1910 is repealed.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 152.

An Act respecting a patent of the Spirella Company of Canada, Limited.

[Assented to 12th March, 1912.]

WHEREAS the Spirella Company of Canada, Limited, a Preamble.
body corporate having its chief place of business at Niagara Falls, in the province of Ontario, has by its petition represented that it is the holder of a patent, number eighty-nine thousand three hundred and seventy-nine, dated the twenty-seventh day of September, one thousand nine hundred and four, issued under the seal of the Patent Office, for an improvement in machines for manufacturing wire garment stays, and has prayed that it be enacted as herein-after set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Notwithstanding anything in *The Patent Act*, or in the patent mentioned in the preamble, the Commissioner of Patents may receive from the holder of the said patent an application for a certificate of payment of further fees and the usual fees for the second and third term for the said patent, and may grant and issue to such holder certificates of payment of further fees, as provided for by *The Patent Act*, and extensions of the term of duration of the said patent, in as full and ample a manner as if the application therefor had been duly made within the first six years from the date of the issue of the said patent.

Extension of time for payment of fees.
R. S., c. 69, s. 23.
Extension of duration of patent.

2. If any person has, in the period between the expiry of six years from the date of the said patent, and the eleventh day

Saving of rights acquired.

day of November, one thousand nine hundred and eleven, commenced to manufacture, use or sell in Canada, the invention covered by the said patent, such person may continue to manufacture, use or sell such invention, in as full and ample a manner as if this Act had not been passed.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 153.

An Act respecting the St. Clair and Erie Ship Canal Company.

[Assented to 1st April, 1912.]

WHEREAS the St. Clair and Erie Ship Canal Company Preamble.
has by its petition prayed that it be enacted as 1899, c. 128;
hereinafter set forth, and it is expedient to grant the prayer 1900, c. 119;
of the said petition: Therefore His Majesty, by and with 1902, c. 98;
the advice and consent of the Senate and House of Commons 1904, c. 122;
of Canada, enacts as follows:— 1906, c. 158;
1908, c. 153;
1910, c. 165.

1. The St. Clair and Erie Ship Canal Company may, Extension of
within two years after the passing of this Act, commence time for
the construction of its undertaking and expend ten per construction
cent of the amount of its capital stock thereon; and may, of under-
within five years after the passing of this Act, complete taking.
the said undertaking and put it in operation; and if, 1910, c. 165,
within the said periods respectively, the said undertaking s. 1.
is not so commenced and such expenditure is not so made,
or the said undertaking is not completed and put in operation,
the powers of construction conferred upon the said
Company by Parliament shall cease and be null and void
as respects so much of the said undertaking as then remains
uncompleted.

2. Section 1 of chapter 165 of the statutes of 1910 Repeal.
is hereby repealed.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 154.

An Act to incorporate the Sterling Life Assurance Company of Canada.

[Assented to 12th March, 1912.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Albert Edward Munn, of Orillia, lumberman, William Henry Shaw, business college principal, George B. Smith, physician, Alfred Passmore Pousette, one of His Majesty's Counsel, John William Garvin, broker, Ninian Rand Lindsay, investment company president, Walter H. Elliott, inspector of public schools, and William W. Hiltz, contractor and builder, all of the city of Toronto, in the province of Ontario, together with such persons as become shareholders in the company, are incorporated under the name of "The Sterling Life Assurance Company of Canada," hereinafter called "the Company." Incorporation.
Corporate name.

2. The persons named in section 1 of this Act shall be the provisional directors of the Company. Provisional directors.

3. The capital stock of the Company shall be one million dollars. Capital stock.

4. The amount to be subscribed before the general meeting for the election of directors is called shall be two hundred and fifty thousand dollars. Subscription before general meeting.

Subscription
before
commencing
business.

5. The Company shall not commence business until two hundred and fifty thousand dollars of the capital stock have been subscribed, and one hundred thousand dollars paid thereon.

Head office.

6. The head office of the Company shall be in the city of Toronto, in the province of Ontario.

Business
which
may be
carried on.

7. The Company may make contracts of life insurance with any person and may grant, sell or purchase life annuities, grant endowments depending upon the contingency of human life, and generally carry on the business of life insurance in all its branches and forms.

1910, c. 32.

8. *The Insurance Act, 1910*, shall apply to the Company.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 155.

An Act for the relief of Ethel May Stewart.

[Assented to 1st April, 1912.]

WHEREAS Ethel May Stewart, presently residing in the Preamble.
township of Binbrook in the county of Wentworth, in
the province of Ontario, wife of George Stewart, of the
city of Hamilton, in the said province, has by her petition
alleged, in effect, that they were lawfully married on the
thirtieth day of November, A.D. 1904, at the said city
of Hamilton, she then being Ethel May Martin, spinster;
that the legal domicile of the said George Stewart was then
and is now in Canada; that, at the city of Hamilton in the
province of Ontario, on or about the thirty-first day of
January, A.D. 1911, he committed adultery with one
Leta Bond; that she has not connived at nor condoned the
said adultery; that there has been no collusion, directly or
indirectly, between him and her in the proceedings for di-
vorce; and whereas by her petition she has prayed for the
passing of an Act dissolving her said marriage, authorizing
her to marry again, and affording her such other relief as is
deemed meet; and whereas the said allegations have been
proved, and it is expedient that the prayer of her petition
be granted: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. The said marriage between Ethel May Martin and George Stewart, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

Right to
marry again.

2. The said Ethel May Martin may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said George Stewart had not been solemnized.

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the King's most Excellent Majesty.



2 GEORGE V.

CHAP. 156.

An Act for the relief of George MacKay Sutherland.

[Assented to 1st April, 1912.]

WHEREAS George MacKay Sutherland, of the city of Preamble.
Toronto, in the province of Ontario, dentist, has by his petition alleged, in effect, that on the seventh day of October A.D. 1901, at the said city of Toronto, he was lawfully married to Annie Leo Snow; that she was then of the city of Toronto, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Toronto, on or about the twenty-third day of June, A.D. 1902, she committed adultery with one Kipp Huff; that the said George MacKay Sutherland has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between George MacKay Sutherland and Annie Leo Snow, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said George MacKay Sutherland may at any time hereafter marry any women he might lawfully marry if the said marriage with the said Annie Leo Snow had not been solemnized. Right to marry again.



2 GEORGE V.

CHAP. 157.

An Act to ratify and confirm certain agreements between the Temiskaming and Northern Ontario Railway Commission and the Grand Trunk Railway Company of Canada.

[Assented to 1st April, 1912.]

WHEREAS The Grand Trunk Railway Company of Preamble.
Canada, hereinafter called "the Company," has by its petition prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The agreement made between The Temiskaming and Northern Ontario Railway Commission, hereinafter called "the Commission," and the Company, dated the first day of May, A.D. 1911, a copy of which forms Schedule "A" to this Act, is hereby ratified and confirmed and declared to be legal, valid, and binding on the Company in all respects whatsoever, as fully and completely as if the said agreement and each and every clause thereof were set out at length and enacted in this Act; and the Company is hereby authorized and empowered to do whatever may be necessary to give full effect to the provisions of the said agreement. Agreement of 1st May, 1911, ratified. Power to carry out its provisions.

2. The agreement made between the Commission and the Company, dated the first day of December, A.D. 1911, a copy of which forms Schedule "B" to this Act, is hereby ratified and confirmed and declared to be legal, valid, and binding on the Company in all respects whatsoever, as Agreement of 1st December 1911, ratified.

Powers as to
its term.

Power to
carry out its
provisions.

fully and completely as if the said agreement, and each and every clause thereof were set out at length and enacted in this Act; and the Company is hereby authorized and empowered to make the said agreement for the term of twenty-five years certain, with the right to extend the period of the said agreement for a further term of twenty-five years upon exercise by the Company of the option in the said agreement contained, and also to do whatever may be necessary to give full effect to the provisions of the said agreement, for the full term thereby contemplated.

SCHEDULE A.

This agreement made the first day of May, A.D. 1911, between the Temiskaming and Northern Ontario Railway Commission, hereinafter called "the Lessor," and the Grand Trunk Railway Company of Canada, hereinafter called "the Lessee."

Recitals.

WHEREAS the parties hereto contemplate and now have under consideration the terms of an agreement, hereinafter referred to as the "Running Rights Agreement" under which the Lessor shall grant to the Lessee the right jointly and equally with the Lessor of using and enjoying the freight terminals of the Lessor at North Bay and the main line of the Lessor's railway from North Bay to Cochrane.

And whereas the Lessor is the owner of lands for a right of way from the south easterly limit of said joint terminals at North Bay to a point adjoining the right of way of the Canadian Pacific Railway Company at Nipissing Junction and approximately opposite the terminus at Nipissing Junction of the Lessee's line of railway.

And whereas the Lessee has requested the Lessor to build and construct a branch or extension of the Lessor's railway over said lands from the said south easterly limit of said joint terminals to the limit of the right of way of the Canadian Pacific Railway Company at Nipissing Junction and to lease same to the Lessee.

And whereas it is desirable and in the public interest that the said branch shall be constructed so as to form a direct connection between the lines of railway of the Lessor and Lessee.

Now these presents witness that the agreement between the parties in the premises is as follows:

Lessor to
construct
branch.

1. The Lessor shall without undue delay proceed to lay out and construct according to the standard of construction of the Lessor's present line of railway, a branch or extension of the Lessor's said railway from the south easterly limit of the said joint terminals to the limit of the right of way of the Canadian Pacific Railway Company at Nipissing Junction aforesaid, for the purposes of which laying out

and construction and every matter connected therewith the Lessor, its servants and agents, shall from time to time have access to and the right to possession of the said lands and every part thereof in the same manner as if this demise had not been made.

2. In consideration of the rents, covenants and agreements hereinafter contained the Lessor has demised and leased and by these presents doth demise and lease unto the Lessee, its successors and assigns, for the period and on the conditions hereinafter specified the said lands constituting the Lessor's right of way from the south easterly limit of said joint terminals to the limit of the right of way of the Canadian Pacific Railway Company at Nipissing Junction, together with the railway track and appurtenances herein referred to, to have and to hold the same and every part thereof unto and to the use of the Lessee, its successors and assigns, for the term of fifty years from the date on which the Lessee shall take possession of the premises subject to the right of either party to determine the said term at any time after the expiration of twenty years from the said date on not less than five years' written notice to the other party to that effect.

To lease same
to G.T.R.

Habendum
determinable
after 20 years
on 5 years'
notice.

3. The rent payable by the Lessee to the Lessor hereunder shall be an annual sum equal to four and one-half per cent. of the cost of said right of way as herein agreed upon and of the laying out and construction of said branch of the Lessor's railway and of the cost of betterments, if any, made by the Lessor during the continuance of the said term, with the consent and approval of the Lessee, in accordance with the provisions hereinafter contained. The cost of said lands and of all surveys and other work done and performed thereon up to the first day of April, 1911, is hereby agreed as of the said first day of April, 1911, to be the sum of \$6,968.33. Said rental shall include four and one-half per cent. of said sum reckoned from said first day of April, 1911, and four and one-half per cent. of each other item of expenditure by the Lessor in connection with the laying out and construction of said branch or in subsequent betterments as aforesaid made pursuant to the provisions hereof reckoned from the respective dates of payment thereof by the Lessor.

Rental $4\frac{1}{2}$ p.c.
of cost.

4. If at any time during the continuance of the said term the Lessor shall deem it necessary or expedient to make any expenditures upon capital account for the improvement of the said line of railway by way of replacement of structures by others more modern or for any other betterments, the Lessor may expend such sums and the amount thereof shall be added to the cost of the line and thereafter considered as part of the cost thereof upon which interest by way of rental at the rate aforesaid shall be paid by the Lessee; Provided that no such expenditure shall be entered

Betterments.

upon or made without the consent and approval of the Lessee.

Time of
payment of
rental.

5. The Lessee shall pay before entering upon the use and occupation of the said line hereunder four and one half per cent. per annum of the said agreed cost of said lands from the said first day of April, 1911, to the date when the Lessee shall enter upon the occupation and use of said line hereunder and four and one-half per cent. of all expenditures by the Lessor in the laying out and construction of the said line from the respective dates of the payment of such expenditure as aforesaid to the date when the Lessee shall enter upon the occupation and use of said line hereunder, and the Lessee shall pay the rental as hereby fixed from and after the date of assuming the said occupation and use in equal monthly instalments, the first of such instalments to be made at the expiration of one month from the beginning of such use and occupation.

Lessor's right
to use or grant
joint use to
other
railways
reserved.

6. Notwithstanding anything contained in these presents the Lessor shall have the right at any time and from time to time during the continuance of the said term to use for its own purposes or to grant to any other railway company or companies the right to use the whole or any portion of the said line of railway jointly with the Lessee, provided that before exercising such right the Lessor shall give to the Lessee not less than sixty days' notice in writing of its desire so to do, specifying in such notice the portion of said line upon which said right is to be exercised; and in case the Lessor shall exercise such right it shall abate to the Lessee in respect of the portion of the line so used (a) such proportion of the maintenance and operating expenses thereof as the number of cars run over or upon any of such portion of said line of railway by the Lessor, or by any other such railway company or companies, or by both, as the case may be, shall bear to the whole number of cars run over or upon any of such portion of the said line of railway; (b) The proper aliquot portions, based upon the number of users of the said line or any part thereof pursuant to such notice, of that proportion of the rental payable by the Lessee hereunder which the number of miles of said line of railway specified in such notice shall bear to the total mileage of the said line.

New
agreement
for joint
operation.

7. Should the Lessor give notice of its desire to use or to grant to any other Railway Company or Companies the right to use jointly with the Lessee the whole or any portion of the said line of railway as hereinbefore provided, the parties hereto shall thereupon enter into an agreement containing all such provisions for the joint maintenance and operation thereof, not inconsistent with the provisions hereof, as may be reasonably required under the circumstances, it being understood that so far as they are applicable

the provisions of the said running rights agreement shall be adopted as the basis of, and be incorporated in, any agreement hereinafter made in pursuance of this paragraph.

8. In case the Lessor shall not when said line is ready for use and occupation by the Lessee have paid all accounts in connection with such laying out and construction or shall not have delivered to the Lessee its accounts therefor or in case the Lessee shall not have had the opportunity to examine, audit and accept such accounts, the Lessee may pay, subject to adjustment, such amount as shall be demanded or required by the Lessor as rental up to the beginning of such use and occupation and the Lessor shall furnish to the Lessee a detailed statement showing all expenditure incurred by the Lessor in laying out and construction of said line, and will allow proper inspection by the Lessee or its servants or agents in that behalf of all pay-rolls, books, accounts and vouchers for the purpose of checking or verifying all such expenditure and shall afford proper facilities for such investigation, and upon the ascertainment by the parties of the true amount of such expenditure the accounts shall forthwith be adjusted accordingly, and in case the parties cannot agree as to the amount of such expenditure the same shall be determined under the provision for arbitration hereinafter contained.

Preliminary
payment on
statement
subject to
subsequent
adjustment.

The Lessor will also from time to time furnish to the Lessee detailed statements shewing all expenditures incurred by the Lessor, with the consent and approval of the Lessee in betterments as aforesaid and will allow proper inspection by the Lessee, its servants or agents in that behalf of all pay-rolls, books, accounts and vouchers for the purpose of checking or verifying all such expenditure for such betterments, and shall from time to time afford proper facilities for such investigation and in case the parties cannot agree as to the amount of any such expenditure, the same shall be determined under the provisions for arbitration hereinafter contained.

Statements of
betterments.

Inspection of
pay-rolls,
etc.

10. The Lessee shall be entitled to install home or distant signals or other apparatus pertaining to interlocking plants on the said demised premises and will be entitled at the expiration or other determination of the said term to remove same subject to restoring the said demised premises to the same plight and condition as before the erection of or installation thereon of any such signals or other apparatus.

Lessee's
signals.

11. The Lessee covenants with the Lessor as follows:
(a) That the Lessee will during the said term pay unto the said Lessor the rent hereby reserved in the manner hereinbefore mentioned without any deduction whatsoever.

Lessee's
covenants.
Will pay
rent.

(b) That the Lessee will pay all taxes, rates, duties and assessments whatsoever, whether municipal, parliamen-

And taxes.

tary or otherwise, hereafter charged upon the said demised premises or upon the said Lessor on account thereof.

Repair.

(c) That the Lessee will during the said term from time to time well and sufficiently repair, maintain and keep the said demised premises and all the Lessor's structures thereon, including all fences and other the appurtenances of the said line of railway, in as good a state of repair and condition as that portion of the Grand Trunk Railway System between Toronto and North Bay.

Comply with legal requirements.

(d) That the Lessee will from time to time and at all times during the continuation of the said term observe and perform all the requirements of the law from time to time applicable to the operation of the said line and will bear and pay all the expenses incurred in doing and performing all such acts, matters and things as may be necessary for the maintenance and operation of the said line of railway in conformity with the laws of the Dominion of Canada and the Province of Ontario, respectively applicable thereto, and will indemnify and save harmless the Lessor of and from all costs, charges and expenses in the premises. Provided however, that nothing herein contained shall be construed as imposing upon the Lessee any obligation to construct, or provide at its own expense any work or structure of a permanent character, or which can be regarded as a betterment, which is at any time during the said term directed or ordered by any board or authority duly constituted under the laws of the said Dominion or Province or is directed or ordered by any Act of the Parliament of Canada or of the Legislature of the Province of Ontario, it being the understanding and intention that all material required to be provided and work done in connection with any such work or structure, shall be provided and done by and at the cost of the Lessor, and that interest at the rate of four and a half ($4\frac{1}{2}$) per cent. shall be thereafter paid thereon by the Lessee as additional rental hereunder irrespective of whether the Lessee shall or shall not have consented to such expenditure.

Will not assign without consent.

(e) That the Lessee, its successors and assigns shall not nor will during the said term, assign, transfer or set over or otherwise by any act or deed permit the said premises or any of them to be assigned, transferred, set over or sublet unto any person or persons, company or companies whomsoever without the consent in writing of the Lessor, its successors and assigns, first had and obtained.

(f) The Lessee at the expiration or other determination of the said term will yield up the said line of railway, structures and appurtenances to the Lessor in as good plight and condition in all respects as the same shall be in at the beginning of the use and occupation thereof by the Lessee hereunder and as to any structure or other matter or thing covered by the Lessor's betterments as aforesaid in as good plight and condition as the same were on the completion of such respective betterments; and in case the said railway, structures and appurtenances or any part thereof shall not at the expiration or other determination of the term hereby granted be so delivered up in as good plight and condition as at the beginning of such occupation or as to any such betterments in as good plight and condition as at the completion thereof respectively the Lessee will pay to the Lessor in cash such sum as shall be sufficient to cover the cost and all incidental expenses of bringing the said railway structures and all appurtenances or such of them as shall not be in such plight and condition as aforesaid in all respects up to such standard; and in case the parties cannot agree upon the amount payable hereunder the same shall be fixed by arbitration as hereinafter provided, it being expressly agreed that the Lessee shall not be entitled to any payment or allowance in respect of any betterments of any kind made or claimed to be made by the Lessee, the true intention and meaning of these presents being that any betterments made by the Lessee shall be deemed and understood to be made for the Lessee's own benefit during the said term.

Delivery of
possession.

12. Provided always and it is hereby expressly agreed that if and whenever the rent hereby reserved, or any part thereof, shall be unpaid for sixty days after any of the dates on which the same ought to have been paid, although no formal demand shall have been made therefor, or in case of the breach or non-performance of any of the covenants or agreements herein contained on the part of the Lessee, its successors or assigns, then and in either or any of such cases it shall be lawful for the Lessor at any time thereafter into and upon the said demised premises or any part thereof in the name of the whole to re-enter and the same to have again, re-possess and enjoy as of its former estate therein, anything herein contained to the contrary notwithstanding.

Right of
re-entry on
default.

13. The Lessor hereby covenants with the Lessee that the Lessee making the payments herein agreed to be made and performing, observing and fulfilling the covenants and the terms and conditions herein contained on the part of the Lessee to be observed, performed and fulfilled, shall from time to time and at all times hereafter during the said

Lessor
covenants for
quiet
enjoyment.

term have and enjoy the use and occupation of the said demised premises according to the terms and conditions herein contained without interruption or interference by the Lessor or any other party or parties whomsoever lawfully claiming under the Lessor.

Mode of
giving notice.

14. In case of any notice to be given to or by the Lessor hereunder or in case of any demand to be made by or on behalf of or upon the Lessor hereunder the same, except where any other mode shall be indicated by the context, shall be deemed to have been duly given or received when given or received in writing by either the Chairman or Secretary of the Lessor for the time being; and in case of any consent required to be given by the Lessor the same shall, unless otherwise required by the context, be given by the Chairman for the time being of the Lessor and shall for all purposes be binding upon the Lessor; and in case of any notice to be given to or by the Lessee hereunder or in case of any demand to be made by or on behalf of or upon the Lessee hereunder the same, except where any other mode shall be indicated by the context, shall be deemed to have been duly given or received when given or received in writing by either the President or Senior Vice-President of the Lessee for the time being; and in case of any consent required to be given by the Lessee the same shall, unless otherwise required by the context, be given by the President or Senior Vice-President for the time being of the Lessee, and shall for all purposes be binding upon the Lessee.

Differences to
be arbitrated.

15. Any difference which may at any time arise between the parties hereto respecting or by reason of any of the provisions of this agreement, or as to the true intent and meaning thereof, or respecting anything to be performed, ascertained or determined for the purpose of fully carrying out the same, or of any agreement for the joint maintenance and operation thereof or of any portion thereof, as contemplated by Clause 7 hereof, shall if not amicably adjusted be from time to time, as the same arises, submitted to arbitrators appointed as follows: Each of the parties hereto shall appoint an arbitrator or referee, but should either party fail to appoint such arbitrator or referee within ten days after the receipt of written notice of the appointment by the other of its arbitrator or referee, then the arbitrator or referee first appointed may select another arbitrator or referee. The two so appointed shall select a third arbitrator or referee and their award or the award of the majority of them made after due notice to both parties of the time and place of hearing the matter referred to and after affording full opportunity to the parties to be heard and to adduce evidence, shall be final and binding upon both parties and they expressly agree to abide thereby. In case the two arbitrators or referees first appointed shall

fail to appoint a third arbitrator within ten days after the appointment of the one last appointed then a third arbitrator or referee may be appointed by a Judge of the High Court of Justice for Ontario on the application of either party after ten days' notice to the other. In case of the death or refusal to act of any arbitrator or referee, or if for any cause the office of any arbitrator or referee becomes vacant, his successor shall be appointed in the same manner as is provided for the appointment in the first instance unless the parties otherwise agree.

Pending the final disposition of the matter or matters submitted for arbitration each party shall continue to comply with and carry out the provisions of this agreement and the standing of either party towards the other shall be in no way affected by the matter in controversy.

16. These presents shall be binding upon and shall enure to the benefit of the successors and assigns of the parties respectively.

In witness whereof the parties hereto have hereunto set their respective corporate seals on the day and year first above written.

TEMISKAMING AND NORTHERN [Seal]
ONTARIO RY. COM'N.

J. L. ENGLEHART,
Chairman.

A. J. MCGEE,
Secy.-Treasurer.

THE GRAND TRUNK RAILWAY COMPANY.
OF CANADA.

By CHAS. M. HAYS. [Seal]
President.

SCHEDULE B.

This agreement made the first day of December, A.D. 1911, between the Temiskaming and Northern Ontario Railway Commission, hereinafter called "the Commission," and the Grand Trunk Railway Company of Canada, hereinafter called "the Grand Trunk."

Witnesseth that it is agreed between the said parties as follows:—

The expression "joint section" shall mean: (1) The terminal yards of the Commission at North Bay, and (2) That portion

Description
of joint
section.

portion of the Railway of the Commission extending from such terminal yards to the crossing of the Railway of the Commission at or near Cochrane Station by the Eastern Division of the National Transcontinental Railway, which parcels (1) and (2) are shown in red on the plans marked respectively (A) and (B) attached to and forming part of this Agreement and identified by being signed by the Chief Engineer of the Commission and by the Chief Engineer of the Grand Trunk. The said expression "joint section" shall also be deemed to include all right of way, tracks, side tracks, bridges, stations, ticket offices, waiting rooms, dining rooms, freight sheds, warehouses, engine houses, car houses and sheds, weigh scales, turntables, water tanks, water plants, coal chutes, switches, stockyards, semaphores, signals and all other buildings and structures of any nature whatsoever erected or constructed upon the lands and premises comprised within either of said parcels (1) and (2) with all appurtenances, fixtures, plant, furniture, fittings, utensils and articles located upon or appertaining to or used in connection with the said lands and premises, and also such lands and premises and such buildings, improvements, facilities, additions and extensions as may in accordance with and pursuant to the provisions of this agreement be hereafter required, erected, provided or made for the purposes of the joint section and to enable the parties hereto to fully perform and carry on their business as herein contemplated. Provided however, that the said expression shall not include the repair shops and store buildings of the Commission at North Bay and Englehart.

In consideration of the compensation hereinafter mentioned and of the covenants and agreements hereinafter contained, the Commission has granted and by these presents doth grant unto the Grand Trunk, its successors and assigns, for the period and upon the conditions hereinafter specified the right jointly and equally with the Commission of using and enjoying the joint section with its appurtenances, and of having the business and traffic of the Grand Trunk done in and about any and all of the stations and premises comprised within the joint section, together with a full and unrestricted and unencumbered use in common with the Commission of the joint section, including all tracks from time to time comprised within the joint section or used in connection therewith and the right to make all such track connections with the joint section as may be required for the purposes of this agreement.

To have and to hold the said rights and privileges unto the Grand Trunk, its successors and assigns, for the period of twenty-one years from the day on which the Grand Trunk begins to use the joint section, paying as compensation therefor to the Commission, its successors and assigns, the

Grant of
joint use.

Habendum
21 Years
\$300,000.00
and Interest
on ½ cost of
betterments.

fixed yearly sum of three hundred thousand dollars, and from time to time further sums equal to four and one-half per cent. of one-half of all expenditures for betterment of the joint section which have since the first day of July, 1911, or which shall hereafter during the continuance of this agreement, be made by the Commission with the approval of the Grand Trunk as hereinafter provided, which compensation shall be payable in equal sums monthly on the twentieth day of every month in each year, or a proportionate sum for any fractional part of a month, the first payment to be made on the twentieth day of the month next following the month on which the Grand Trunk begins to run its trains over the same.

These presents are made and entered into upon and subject to the provisions and conditions hereinafter expressed and contained, for the due performance and observance of all of which on the part of each of them to be done and performed the Commission and the Grand Trunk bind themselves and each of them respectively, their successors and assigns, that is to say:

1. The Grand Trunk shall during the continuance of this agreement pay to the Commission the said compensation in the manner and at the times hereinbefore mentioned without any deduction whatsoever save for the reasons and on account of the happening of any contingency hereinafter mentioned; all payments to be made to the Commission in gold of the present standard of value or its equivalent in Canadian currency, at the offices of the Commission in Toronto.

Payment in
Toronto.

2. The Commission shall at all times keep up and maintain in good repair and in a thorough efficient working condition the joint section and all appurtenances thereto or to be enjoyed in connection therewith, and shall also supply and properly equip and at all times keep equipped all stations and other buildings, the right and privilege of using which is included in this grant with the requisite furniture, plant, tools and equipment. The joint section shall be kept and maintained at a standard equal to that portion of the Grand Trunk Railway between Nipissing Junction and Toronto.

Covenant for
maintenance.

3. Subject to the terms and conditions of these presents the Grand Trunk shall for all purposes of its business and traffic have under the reasonable rules and regulations of the Commission free and unlimited access to and the free and unlimited use as the same are now or may at any time hereafter be had and enjoyed by the Commission of all stations, depots, freight and ticket offices, freight sheds, baggage rooms, dining rooms, warehouses, engine houses, car houses and sheds, fuel sheds, water tanks and other buildings and structures comprised within the joint section

Free and
unlimited use
of all
facilities.

and all fixtures, plant, furniture and fittings appertaining thereto, as well as all weighing scales, baggage and freight trucks and other articles or utensils.

Destruction
by fire.

4. If any of the said buildings, accommodations or facilities or anything appertaining thereto be destroyed by fire or other casualty either in whole or in part the Grand Trunk shall have no claim against the Commission for damages on account of loss of accommodation but shall have, free of any charge other than the aforesaid compensation, a proportionate share of such accommodation as the Commission may be able to provide for the purpose of its business and traffic and of the new accommodation so soon as the same may be provided, and except as may from time to time be otherwise agreed upon between the parties the reconstruction of such buildings and the providing of accommodation in accordance with the former design and to the same extent as previously shall be proceeded with by the Commission at its own cost with all reasonable despatch. All buildings and erections and all furniture and equipment forming part of or comprised within the joint section shall be insured against loss or damage by fire so far as this can be done and the cost of so doing shall be part of the working expenses hereinafter referred to. Neither party shall be required or be liable to insure any property of the other party, nor save as aforesaid shall the working expenses include any outlay on account of insurance.

Parties to
have equal
rights.

5. Except where otherwise herein provided the parties hereto shall have and enjoy in all respects equal rights upon and to the use of the joint section and the trains of the Grand Trunk shall in every respect be treated by the officers, agents and employees in charge or control of, or engaged upon the joint section, as trains of a similar class of the Commission and shall equally have preference over trains of an inferior class belonging to either of the parties, the superior class trains being in all cases given preference over trains of an inferior class. The Grand Trunk shall have a right to run over the joint section all classes of trains, passenger, mixed, freight and other trains. In case of doubt between the trains of the Commission and the trains of the Grand Trunk of the same class, the trains of the Commission shall under the established rules have the preference. The main tracks of the joint section shall as far as practicable be kept unobstructed for the use of the regular trains of both parties.

In case of
doubt trains
of
Commission
to have
preference.

Train
schedule.

6. The schedule for the arrival and departure of the trains of the parties hereto at and from North Bay and at and from the junction with the Eastern Division of the National Transcontinental Railway at or near Cochrane and at and from intermediate stations on the joint section shall be fixed from time to time by agreement between the proper officers of the parties hereto, having due regard to the

necessity on the part of the Grand Trunk to make such through train schedules with the Grand Trunk Pacific Railway Company as will enable those Companies to meet competition. Reasonable notice of any desired change in such schedule shall be given by the proper official of the Grand Trunk to the proper officer of the Commission, who shall thereupon make and furnish as far as it is practicable a proper and satisfactory schedule or time card for the movement of all trains of both parties on the joint section. All schedules shall give equal rights to the trains of both parties of a similar class as provided by clause 5 hereof. In preparing such schedules and fixing the speed of the trains of the Grand Trunk any reasonable request of the officials of the Grand Trunk made from time to time shall be given effect to. In the event of any dispute arising as to any schedule the matter in dispute shall if the parties fail to agree, be referred for determination to arbitrators appointed in the manner hereinafter provided. When the trains of the Grand Trunk are running behind time their movements shall be directed and controlled in the same manner as trains of a similar class of the Commission when out of schedule time.

7. The joint section, subject to the general control of the Commission, shall be in charge of the Superintendents of Traffic and of Maintenance appointed by the Commission and who shall be acceptable to and approved by the Grand Trunk and be subject to dismissal for good cause upon the written demand of the Grand Trunk. They shall have superintendence over the management and operation of the joint section and over all persons from time to time employed thereon or engaged in any service or duty connected therewith. The powers and duties of each such Superintendent shall be clearly defined by the Commission and shall be exercised and performed in a reasonable and just manner as between the parties and without discrimination or preference in favour of or against either. The Superintendents will comply with and carry out any instructions given by the proper officer of the Grand Trunk in regard to the movement of its trains, engines or cars, or the handling of its traffic, so far as it is practicable so to do, due regard being had to the rights of the Grand Trunk under this agreement. They shall within the scope of the defined powers conferred upon them respectively, have the control of all subordinate officers and employees engaged in or about the operation, maintenance, renewal and repair of the joint section and subject to the terms hereof, also have control of all enginemen, trainmen and other employees of either of the parties while engaged in the handling of trains, cars or engines upon the joint section. Any officer or employee from time to time employed in the operation, maintenance, repair or upkeep of the joint section shall,

Superintendents of
Commission
to have
charge of
joint section.

Officers may
be removed
for cause.

upon the written request of the Chief Executive officer of the Grand Trunk, be removed for cause.

G.T.R.
trains to be
manned by
G. T. R.
employees
subject to
regulations
of
Commission.

8. Except as herein otherwise provided, the engines, cars and trains of the Grand Trunk shall be manned exclusively by employees of the Grand Trunk, who shall while upon the joint section be subject to the rules and regulations herein-after provided for and be under the direction of the Superintendent of Traffic of the Commission so far only as the movements of the engines, cars and trains are concerned. The rules and regulations for the running and working of trains and for the guidance and conduct of all employees of either or both parties while running over or being upon the joint section and making use in common of the tracks, buildings and appurtenances thereof, and so far as practicable all rules governing the use of the joint section and all police regulations generally shall be those prescribed by the Commission for the government of its own employees. Special rules applicable to the joint section and due to the requirements of this agreement may from time to time be agreed upon by the Executive Officers of both parties hereto and shall there-upon be enforced by the proper officers but no such rules shall interfere in any way with the full enjoyment of the rights of either of the parties hereunder.

Switch
connections.

9. The Commission shall construct the necessary switch connection or connections between the tracks of the Commission and those of the Eastern Division of the National Transcontinental Railway at the point as indicated on the plan attached hereto and the cost thereof and all expenses of and incidental to the maintenance, operation, repair and renewal thereof shall be included in and form part of working expenses under this agreement.

Superinten-
dents and
employees to
render equal
service to
both parties.

10. The Superintendents of the Commission respectively having charge of the maintenance and operation of the joint section and all train despatchers, station agents, clerks, telegraph operators, station baggagemen, switchmen, signalmen, gatemen, flagmen, bridge-tenders, trackmen and all others employed upon or engaged in the maintenance, repair or renewal of the joint section or any part thereof or in controlling the movement of trains over the same (but not including enginemen or trainmen in the exclusive employ of one of the parties hereto) and generally all agents or employees whose salaries or wages in whole or in part are included in the working expense account hereinafter provided for shall, though paid by the Commission in the first place, be deemed to be joint agents or employees of both parties hereto and shall render equally to each party and with strict neutrality such service as they may be called upon to render or should render within the scope of their respective positions or employment and shall be subject to dismissal if they decline, neglect or refuse to render such

assistance and service to the Grand Trunk as such employees are usually called upon to render, or be or become incapable to fully and satisfactorily perform their respective duties or for other good cause shown by the Grand Trunk to the Commission. Every request of the Grand Trunk under this clause shall be fully and justly dealt with by the Commission and any decision of the Commission in respect thereof shall be subject to appeal to arbitrators appointed as hereinafter provided.

11. The expenses chargeable to the maintenance and repair of the joint section herein referred to as "working expenses" shall be payable by the Commission in the first instance and shall include:

- (a) The cost of repairs and renewals of tracks and structures comprised within and forming part of the joint section and required for the proper maintenance thereof including in the cost transportation (not at tariff rates but at the rate of five mills per ton per mile) of all materials required therefor and the labour incidental thereto. Provided that the market value during the month in which the same are released of the rails, iron and other materials renewed or replaced shall be credited to working expenses. Provided further that any additional cost of rails due to an increase in the rolled weight of the new rails over that of the old shall be charged to capital account Repairs.
- (b) The cost of maintenance of any works for the protection of the public and the trains and cars of the parties hereto respectively at highway or railway crossings on the joint section where protection may be required by law or where it may be deemed necessary by the parties hereto. Maintenance of works for protection of public.
- (c) The cost of maintenance and operation of the switches connecting the joint section tracks with those of the Eastern Division of the Transcontinental Railway at or near Cochrane and with the line of the Commission between North Bay and Nipissing Junction to be constructed under the terms of a certain other agreement between the parties hereto dated the first day of May, 1911, including the cost of the maintenance and operation of any interlocking plant or protective appliances, if any, in connection therewith payable by the Commission. Maintenance and operation of switches.
- (d) The cost of the maintenance of any works carried out in pursuance of the orders of any legally constituted authority affecting the joint section or any part thereof. Maintenance ordered work.
- (e) Insurance premiums if any payable in respect of structures on the joint section. Insurance.
- (f) The cost of fuel and supplies furnished for, and the proper wages of the crews engaged in, operating switching Supplies, salaries, wages and expense accounts.

switching engines on Portion (1) of the joint section and at Englehart and in the making up of trains as provided in paragraph 34; the entire salaries, wages and expense accounts of all officers and employees engaged exclusively in the maintenance, repair and renewal of the joint section or in controlling the movements of engines and trains over the same (not however including enginemen and trainmen in the exclusive employ of either party); a fair proportion of the salaries and wages of all such employees as may be partially or occasionally engaged in such work and in respect of general supervision, a reasonable proportion of the salaries and expense accounts of the Commissioners and of the salaries, wages and expense accounts paid by the Commission to its Superintendents of Traffic and of Maintenance having charge of the joint section and to its Secretary and Auditor and to the staffs of such Superintendents, Secretaries and Auditor, which staffs shall include subordinate officers; such proportion to be from time to time adjusted between the parties as the conditions may warrant, or failing adjustment, to be determined by arbitrators appointed as hereinafter provided.

"Terminals
working
expense
account."

12. Accounts called "Terminals working expense account" and "Main track working expense account," shall be kept by the Commission and monthly statements rendered to the Grand Trunk as early in each month as reasonably possible showing separately in such detail as is reasonable and proper the working expenses for the preceding month of portions (1) and (2) of the joint section. Provided however that the working expenses of Englehart yard shall be shown separately and be divided upon the same basis as the working expenses of portion (1). Such statements shall as to portion (1) of the joint section include, in addition to such other details as are reasonable and proper, particulars:—

"Main track
working
expense
account."

Cars using
terminals.

(a) Of every car which formed part of any train and of the locomotive hauling such train which arrived at and of every car which formed part of any train and of the locomotive hauling such train which departed from portion (1) of the joint section or from Englehart yard during the preceding month each car and each locomotive being counted once on arriving at and once on leaving North Bay or Englehart yard as the case may be, Provided however that any empty car entering portion (1) of the joint section or Englehart yard for the purpose of taking up passengers or leaving the same after discharging passengers or the engine or engines moving the same shall not be counted, and Provided also that cars forming part of through trains and not set out at portion (1) of the joint section or at Englehart yard shall be counted but once; every revenue switch movement to be counted as one car.

- (b) Of the total number of tons of freight handled in and out of the freight house or freight shed (including transfer platform) at North Bay during the preceding month, showing separately the number of tons so handled for each of the parties hereto. North Bay tonnage.
- (c) Of the total number of engines despatched from the engine houses at North Bay and Englehart respectively during the preceding month, showing separately the number of engines so despatched for each of the parties hereto. Engines despatched.
13. The Grand Trunk shall within sixty days of the receipt of such statements respectively pay to the Commission as its proportion of the working expenses of portion (1) (including Englehart yard) of the joint section during the preceding month as follows: Payment within 60 days.
- (a) Such proportion of the cost of maintaining and operating the said engine houses at North Bay and Englehart respectively, during the preceding month, as the number of engines despatched for the Grand Trunk from such engine house during such month bears to the total number of engines despatched therefrom, during such month. Engine houses at terminals.
- (b) Such proportion of the cost of maintaining and operating the freight shed at North Bay during the preceding month as the number of tons of freight handled in and out of the freight shed (including transfer platform) for the Grand Trunk during such month bears to the total number of tons of freight handled in and out of said freight shed (including transfer platform) during such month. North Bay freight shed.
- (c) Such proportion of the working expenses (as herein-before defined) incurred in connection with the station yard and tracks included in portion (1) of the joint section and Englehart yard respectively, during the preceding month as the number of cars arriving at and of cars departing from North Bay and Englehart yard respectively in the trains of the Grand Trunk during such month and using the said yards and counted in accordance with the provisions of the preceding clause shall bear to the total number of cars so counted arriving at and of cars departing from North Bay and Englehart yard respectively during such month and using the joint yards. Yard expenses.
14. The Grand Trunk shall within sixty days of the receipt of such statements respectively pay to the Commission in respect of portion (2) of the joint section such proportion of the working expenses shown as having been expended in respect of portion (2) of the joint section during the preceding month as the total engine and car miles made upon said portion (2) of the joint section during the month covered by such statement by the engines and cars Expenses portion 2 divisible on car mileage basis.

of all classes, both loaded and empty, comprised in the trains of the Grand Trunk, shall bear to the total engine and car miles made upon said portion (2) of the joint section during the preceding month by all engines and cars of all classes both loaded and empty.

Rendering
accounts.

15. The accounts referred to in the preceding paragraph may be rendered by delivering the same to the General Auditor of the Grand Trunk at Montreal or to such other officer as may be designated to the Commission by the Grand Trunk from time to time or by sending the same through the Post Office, postage prepaid, addressed accordingly.

Inspection of
books.

16. From time to time and at all times during the continuance of this agreement the Commission will allow proper inspection by the officers and agents of the Grand Trunk of all pay-rolls, books, accounts, returns and vouchers for the purpose of checking or verifying accounts rendered by the Commission to the Grand Trunk in pursuance of this agreement. The Grand Trunk shall have the right from time to time to employ an Auditor to investigate the accuracy of any such account or accounts and the Commission shall at all times afford proper facilities for such investigation. Neither the acceptance of any such account or accounts nor the payment thereof by the Grand Trunk shall prejudice its right to an audit or verification, and if upon such audit or verification or at any time it shall be found that the Grand Trunk has paid or allowed the Commission any sum or sums of money which under the provisions of this agreement it is not liable to pay or which should not have been allowed the Grand Trunk shall be entitled to demand and collect such sums.

Audit.

Provided however that the Commission shall not be bound to accept the rulings of any such Auditor employed by the Grand Trunk and that in case the parties cannot agree as to any such questions of account the same shall be determined under the provisions for arbitration hereinafter contained.

Mutual
rights of
inspection.

17. Each party will allow the other proper inspection by its agents of all books, accounts, returns, vouchers and reports relating thereto for the purpose of checking and verifying any and all accounts which shall be rendered by the party against whom inspection is sought in respecting any loss, injury or damage which the last named party may suffer or sustain and which under the terms hereof is to be assumed or borne in whole or in part by the party seeking inspection and also for the purpose of checking and verifying all statements and returns of the number of engines and cars of either of the parties transported on or over the joint section or any part thereof and the tonnage handled in the terminal yard or the engines using the engine houses or of

ascertaining any information or particulars to which the other party shall be entitled hereunder.

18. The Grand Trunk shall be entitled to carry on through and interchanged express business on the joint section upon the terms of such agreement in respect thereto as shall be entered into between the Commission and the Canadian Express Company and shall be entitled to do freight, passenger and mail business over the joint section as follows:

(a) All passenger and mail business and all freight business originating on the Grand Trunk or Grand Trunk Pacific Railway or their respective connections and carried over the joint section on the trains of the Grand Trunk for furtherance over the lines of the Grand Trunk or Grand Trunk Pacific Railway or their respective connections, shall be Grand Trunk business and shall be carried at rates lawfully fixed by the Grand Trunk irrespective of the Commission and all revenue therefrom shall belong to the Grand Trunk.

Business which Grand Trunk may do on joint section.

Through G.T.R. business.

(b) All other business which under the terms of this agreement the Grand Trunk is authorized to carry on on the joint section is agreed and declared to be local business of the Commission and the right of the Grand Trunk to carry on the same is subject to its being carried on so far as the joint section is concerned at the rates lawfully fixed by the Commission irrespective of the Grand Trunk.

Local business at commission rates.

(c) Subject as aforesaid the Grand Trunk shall be entitled to transport in its trains over the joint section and to deliver at North Bay, Cochrane or any intermediate point on the joint section all cars containing freight originating on the Grand Trunk or Grand Trunk Pacific Railway or their respective connections consigned to North Bay, Cochrane or to any one intermediate point on the joint section or to any point or points on branch lines connecting with the joint section; and to receive at North Bay, Cochrane and intermediate points and to transport in its trains over the joint section or any part thereof cars containing freight consigned to points on the lines of the Grand Trunk or Grand Trunk Pacific Railway or their respective connections. Provided that such freight shall be carried subject to the payment by the Grand Trunk to the Commission in respect thereof of twenty-five per cent. of the rates from time to time lawfully fixed by the Commission as aforesaid as payable for the carriage of such freight over the joint section or the portion thereof over which such freight shall be so carried by the Grand Trunk in its trains. Provided further that this shall not be construed as entitling the Grand Trunk to do what is commonly known as local way freight business, and

Interchanged freight.

Provided further that on portion (2) of the joint section the Grand Trunk shall not be required to place cars at freight houses or on private sidings or on public team tracks when in their judgment such work would cause objectionable delay to Grand Trunk trains but this work shall in such event be done by the engines and cars of the Commission.

Interchanged
passenger
and mail
business.

(d) Subject as aforesaid the Grand Trunk shall be entitled to carry on its passenger trains passenger traffic and mails reaching North Bay via Grand Trunk Railway or Cochrane via Grand Trunk Pacific Railway for carriage to local points on the joint section or *vice versa* and passenger traffic and mails originating at Cochrane for carriage to North Bay without stop over or *vice versa* subject to the payment by the Grand Trunk to the Commission in respect thereof of twenty-five per cent. of the revenue received by the Grand Trunk for such mail service and twenty-five per cent. of the rates from time to time lawfully fixed by the Commission as payable for the carriage of such passenger traffic over the joint section or the portion thereof over which such passenger traffic shall be so carried by the Grand Trunk upon its trains.

Local
passenger
and mail
traffic.

(e) Subject as aforesaid the Grand Trunk shall further whenever it shall be impracticable to prevent the carriage of such traffic on its trains be entitled to carry on its passenger trains:—

- (1) Passenger traffic and mails reaching joint section by the Canadian Pacific Railway Company or by any carrier other than the Grand Trunk or the Grand Trunk Pacific Railway Company for carriage to any point on the joint section, including Cochrane and North Bay.
- (2) Passenger traffic and mails originating at North Bay or at Cochrane destined to any point on the joint section and *vice versa*.
- (3) Local passenger traffic and mails between points on the joint section.

75% to
Commission,
25% to G.T.
R.

Subject to the payment by the Grand Trunk to the commission of seventy-five per cent. of the revenue received by the Grand Trunk for such mail service and seventy-five per cent. of the rates from time to time lawfully fixed by the Commission as payable for the carriage of such traffic over the joint section or the portion thereof over which such passenger traffic shall be so carried by the Grand Trunk upon its trains. Provided however that if the Commission shall at any time by written notice request the Grand Trunk to carry any such passenger traffic or mails upon any specified passenger train or trains of the Grand Trunk, the revenue received by the Grand Trunk for such passenger

Proviso 25%
to Commis-
sion 75% to
G.T.R.

and mail service so carried on such specified train or trains shall, until the withdrawal in writing of such request be divided as follows: twenty-five per cent. thereof to the Commission and seventy-five per cent. thereof to the Grand Trunk.

19. The Commission shall at all times keep on sale at all stations on the joint section or other agencies for the sale of tickets an adequate supply of tickets of the issue of the Commission for all points on the Grand Trunk, its allied lines and connections, and the baggage of passengers using any such tickets from a point on the joint section shall be checked through to destination.

Tickets for
G.T.R.
points.

20. Each of the parties hereto assumes all responsibility for accidents or casualties upon or to its own trains and to its passengers, freight and employees, by reason of any imperfection of the track or misplacement of switches by its own or a joint employee or by strangers and for damages for live stock killed or injured or by reason of injuries that may occur to persons walking upon the track or at highway crossings (if any liability therefor) or from any other cause (aside from or except collision between the trains of the parties hereto or the negligence of an exclusive employee of the other party) and no such accident or casualty shall give either party a right of action or claim against the other, it being the intention and design that each party shall be responsible for its own trains, passengers, freight and employees for the conduct of its own and joint employees as regards such trains, passengers, freight and employees, and generally, except when the other party or its exclusive employees are at fault.

Each party
responsible
for accidents
on its own
trains.

21. In case of injury to persons or property not in transit upon the trains of either party or of any damage by fire to the joint section or lands adjoining the same caused by or resulting from the operation of the trains of such party upon the joint section the party at fault shall without regard to the physical condition of the joint section or its appurtenances pay the full amount of the liability. Provided that in the event of its being impossible from want of evidence or otherwise to fix the liability in any such case upon one of the parties hereto the amount of such liability, including all costs, shall be apportioned between and be assumed and borne by the parties in the proportion for each that the number of its cars passing over the joint section at the point where the damage or injury occurred during the current month in which such damage or injury happened bears to the whole number of cars of both parties passing over such point during such current month. Provided further however that the Commission shall not be bound to contribute toward any loss or damage or costs which the Grand Trunk shall sustain or be put to by reason only of any statutory liability irrespective of negligence at any time lawfully

Party at
fault to pay.

Apportion-
ment when
fault
unascertain-
able.

Except
statutory
liability of
G T.R.

Release to
discharge
both Parties.

imposed upon the Grand Trunk but not so imposed upon the Commission. In the event of loss, damage or injury occurring or being caused to persons or property upon or by the trains of either party the proper officer of the party upon or by whose train such loss, damage or injury occurred or was caused shall settle the same and in all such cases of settlement any release executed shall be so made as to include and free and discharge both of the parties hereto from all further liability to the claimant.

Collision.

22. In all cases of collision between the trains of the parties hereto the party whose employees or trains are at fault and were or shall be found to have been the occasion of the collision shall be responsible to the other party for all damages caused by or resulting from such collision, but in case the proper officers of the parties hereto are unable to agree as to which was at fault or as to the cause of the collision, or as to the amount of the damage done, the questions arising in respect thereto shall be referred to arbitration in the manner hereinafter provided for the settlement of differences and disputes and the party hereto which shall be found responsible shall indemnify, save harmless and defend the other from and against all claims, costs and proceedings resulting from or growing out of such fault, and the party so adjudged liable to pay the other any damages in respect thereof shall abide by and forthwith perform and comply with the award of the arbitrators which shall in all cases be final and shall terminate the controversy between the parties.

Damage
through
fault of
Joint
Agent.

23. All loss or damage to person or property upon the trains of either of the parties hereto caused by the negligence or fault of any joint agent or employee of the parties hereto in the course of his employment shall be borne and paid by the party upon whose train such loss or damage occurs, but this clause shall not give to any third party any claim or cause of action.

Mutual
indemnity.

24. The parties hereto respectively shall indemnify, save harmless and defend each other from all loss, damage or injury which either party agrees hereunder to assume, and from all claims, costs and proceedings resulting from and arising out of or payable by reason of any such loss, damage or injury and in case proceedings be commenced against either party hereto for any loss, damage or injury which the other agrees hereunder to assume or bear, the party proceeded against may give notice thereof to the other and thereupon such other party shall at once assume the defence of such proceedings and save the party proceeded against harmless from all loss and costs. In case proceedings are commenced against both parties for loss, damage or injury which is to be assumed or borne by one of them, such one shall assume the defence of such proceedings and save the

other party hereto harmless from all loss and costs. In case proceedings are commenced against one party hereto for loss, injury or damage, for which both parties are liable to contribute hereunder, the other party shall join or assist in defending and any costs and damages awarded shall be borne in the proper proportion provided for hereunder according to the circumstances.

25. In the event of the destruction of or damage to any of the tracks, depots, bridges, culverts or other structures on the joint section as a result of the carelessness or by reason of the negligence of one of the parties hereto, the expense (in excess of the amount of insurance received) of replacing or renewing the property of the same general character as that destroyed shall be entirely paid by the party at fault. Provided that in case by consent of both parties any new work substituted for that damaged or destroyed shall be of a better character than the old and can be considered as a betterment, so much of the cost as would restore the property to its former condition shall be paid by the party at fault as above provided and the balance of the cost shall be added to capital account subject to the payment by the Grand Trunk of a sum equal to interest at the rate of four and one-half per cent. per annum upon one half thereof during the continuance of this agreement as hereinbefore provided. The cost of all betterments exceeding the sum of two hundred dollars, or of additional works such as second main track, side tracks, etc., on the joint section made by the Commission because of increased traffic for the more economical operation of trains, or under the provisions of any statute, order or by-law binding upon the Commission, shall be added to and included in the capital account upon one-half of which the Grand Trunk shall pay a sum equal to four and one-half per cent. per annum as aforesaid. All individual betterments costing two hundred dollars or less shall be charged as part of working expenses. For the purpose of this clause any work or structure of a permanent character which at any time during the continuance of this agreement is constructed pursuant to the direction or order of any Board or authority duly constituted under the laws of the Dominion of Canada or of the Province of Ontario or pursuant to the provisions of any Act of the Parliament of Canada or of the Legislature of the Province of Ontario shall be regarded as a betterment and the cost thereof be added to and included in the capital account.

Damages through negligence to be made good by party in fault.

Betterments exceeding \$200 to be charged to capital account.

26. Neither of the parties hereto shall have any claim or right of action against the other by reason of any interruption or delay to traffic on the joint section by the destruction of or damage to any of the tracks, structures or facilities covered by this agreement howsoever same may be caused.

No claim for interruption or delay.

27. If any additional buildings, tracks or facilities or any betterments or improvements on the joint section or any part

Additional facilities where one party objects

to same as
betterments
on joint
account.

Right of
G.T.R. to
connect
tracks.

Subsequent
inclusion in
joint account.

G.T.R. no
right to build
on
Commission's
land.

part thereof or any additional lands therefor be in the opinion of either of the parties required for the reasonable purposes of the business of both or either of them, the parties shall consult together with a view to agreeing with reference thereto and in case the parties agree to any such additional buildings, facilities, betterments, or improvements or additional lands, the cost thereof less the then value of all iron and other materials replaced, shall be charged to capital account, and a sum equal to interest at the rate of four and one-half per cent. per annum on one half of such cost shall be payable by the Grand Trunk during the continuance of this agreement as additional compensation for the rights granted hereunder. In case either party shall desire to extend the joint section or to secure additional lands and construct thereon buildings or other facilities and the other party shall decline to have such extension made on joint account, or in case either party shall desire additional buildings or facilities or to make further betterments on the joint section and the other party shall decline to have same constructed, provided or made on joint account, then such extensions may be made or such facilities provided or such construction proceeded with by the party desiring the same, and such extension, facilities or constructions shall not be deemed part of the joint section but shall belong to, and shall be maintained and operated by, and at the exclusive expense of the party making same. The Grand Trunk shall have the right to connect any track or tracks laid upon any such additional lands required by that company with the tracks included within the joint section. Provided however that if the party who shall have so declined to have said extensions, construction, facilities or betterments constructed, provided or made on joint account shall afterwards at any time during the continuance of this agreement desire to have the joint use of such extensions, constructions, facilities and betterments or any part thereof, such party shall have the right thereafter to the joint use of the same accordingly upon such terms, if the parties cannot agree, as shall be fixed by arbitration as hereinafter provided; whereupon such extensions, constructions, facilities and betterments shall be covered by such agreement between the parties or by arbitration as aforesaid and become part of the joint section and be governed in all respects by the terms of these presents so far as the same shall be applicable thereto. Provided that nothing in this paragraph contained shall entitle the Grand Trunk to construct any buildings or other structures, or to make, provide or furnish any additional facilities or betterments upon the joint section without the consent of the Commission. Provided further, however, that should the Grand Trunk at any time request the Commission to extend any passing track already constructed, or to have additional

passing tracks constructed on the lands of the Commission, which the Commission shall not be willing to make or construct on joint account, the Grand Trunk shall be entitled to have such question determined by arbitrators appointed as hereinafter provided, and in case the arbitrators shall determine that any such extension or additional passing track is required the same shall be made or constructed by the Commission and the cost thereof shall be charged to capital account or otherwise and the cost of maintenance and operation be borne in such manner as shall be proper under the provisions hereof, due regard being had to the decision of said arbitrators.

Passing
tracks.

28. The Grand Trunk shall pay all mileage allowances or charges at the usual and customary rates for all cars owned by the Commission hauled by the Grand Trunk in its trains over portion (2) of the joint section and shall also be liable for and pay directly to the parties or Companies (other than the Commission) entitled thereto all per diem or mileage allowances or other compensation at the usual and customary rates for the services or detention of all cars of such other parties or Companies hauled by the Grand Trunk in its trains on the joint section. Cars will be considered as delivered by the Grand Trunk to the Commission on portion (2) of the joint section when set out of trains for unloading, and shall be considered as returned to the Grand Trunk when reported to the proper officer in charge of car movement on the joint section as ready for movement by the Grand Trunk at the same point. The Commission shall not pay or be liable for any mileage per diem charge or other compensation for the services or detention on portion (1) of the joint section of any engines or cars arriving at or leaving said portion (1) of the joint section in the trains of the Grand Trunk and not intended for delivery to the Commission but the Grand Trunk shall pay and be liable for and hereby covenants to indemnify the Commission against any claim or claims for any mileage per diem charge or other compensation for the services or detention of such engines or cars. Provided however that in the case of cars to be delivered by the Grand Trunk to the Commission the Commission shall assume such mileage per diem charge of other compensation from the time that the same are delivered on portion (1) of the joint section, and in the case of cars to be delivered by the Commission to the Grand Trunk, the Grand Trunk shall assume such mileage per diem charge or other compensation from the time same are delivered on portion (1) of the joint section.

Car mileage
and per
diem
charges.

What
constitutes
delivery of
cars

American Railway Association Code of Car Service Rules shall govern as to what constitutes delivery of a car.

The Commission shall assume all per diem or mileage charges or other compensation payable upon cars engaged in revenue switching movements.

Revenue
switching.

Commission
to do repairs
for G.T.R.

29. The Commission shall upon the request of the Grand Trunk do with all reasonable despatch all ordinary running repairs required upon the engines and rolling stock of the Grand Trunk used upon the joint section, charging therefor actual cost of materials used and labour performed in making such repairs plus ten per cent of the cost of such material and labour. Provided that the Grand Trunk may supply its own material if it so desires.

Coal and
water for
G.T.R.
engines.

30. If so requested by the Grand Trunk the Commission shall, subject to the limitations of its facilities, furnish daily to the engines of the Grand Trunk such amount of coal as may be necessary for such engines and the Commission shall charge and the Grand Trunk shall pay for such coal so supplied the cost price thereof to the Commission at the point of delivery to the Grand Trunk plus ten cents per ton additional. The Commission shall further furnish daily to the engines of the Grand Trunk such water as may be necessary for such engines, the expense of the supply of water to both parties to be reckoned as part of the working expenses and to be charged and payable accordingly.

Statement
of supplies.

31. The Commission shall keep or have kept a statement of all supplies, coal, sand, oil, waste, tallow, etc., furnished to the Grand Trunk for its engines and cars and the Grand Trunk shall be charged the actual cost of all supplies, etc., so furnished. The term "Cost" used in this paragraph shall mean the current market price in Canada for the month in which they are furnished as shown by the invoice of such supplies plus ten per cent. to cover handling supervision, inspection, accounting, freight charges and other incidental expenses. Provided that should the Grand Trunk desire to provide or furnish its own coal, supplies, sand, oil, waste, tallow, etc., it may do so, in which event it will be charged only the cost of handling the same. For the purpose of accounting between the Commission and the Grand Trunk the cost of transportation over the joint section by either party of fuel and supplies of all kinds for the use of the other shall, until otherwise agreed, be settled on the basis of five mills per ton per mile.

Use of
engine stalls.

32. The Grand Trunk shall at all times have the right to the use for its locomotives of such stalls in the engine houses of the Commission as the number of engines actually engaged in the service of the Grand Trunk on the joint section may entitle that Company to use with the like accommodation and facilities in all respects as may be provided by the Commission for its own engines, the understanding being that the stalls in the engine houses of the Commission shall be allotted and be available for the use of each party in proportion to the number of engines actually engaged in the service of each party upon the joint section. It is also understood that the engines of the Grand Trunk shall while

in the engine house be turned, cleaned and fitted for the road and that engine despatch shall include so far as required cleaning below running board, turning and housing and labour of coaling and watering, but that cleaning of engines above running board, supplies required for cleaning engines, repairs and all supplies required for repairs and all stores, small or large, that may be required, shall be paid for at cost, which shall include cost of handling.

33. The Commission shall, if requested so to do by the Grand Trunk, clean the passenger cars used in the business and traffic of the Grand Trunk upon the joint section and heat and supply them with water, ice, fuel, oil, waste and small stores, and the Company shall pay to the Commission the cost to the Commission of the material, labour and stores so furnished. The term "Cost" used in this paragraph shall mean the current market price in Canada for the month in which they are furnished as shown by the invoice of such supplies and stores, plus ten per cent. to cover handling, supervision, inspection, accounting, freight charges and other incidental expenses. The charge for labour shall be that actually paid by the Commission. Provided that the Grand Trunk may at any point or points on the joint section, or at any time or times, perform the whole or any part of the above service, with its own employees, without being liable to any charge therefor by the Commission.

Car
cleaning.

34. The Commission shall provide the switch engines and crews required to perform switching service in the North Bay and Englehart yards and for making up all trains and shall be entitled to charge to working expenses a reasonable sum per month for the use of such switch engine which sum shall be exclusive of fuel and supplies required for such engine and of the proper wages of the crew, which shall be included in the working expenses of portion (1) of the joint section as provided in paragraph 11 (f). It is understood and agreed that the Grand Trunk may at its option and upon the same terms from time to time provide such engines and crews to an extent sufficient to equalize the service furnished by the Commission. Such reasonable sum shall be fixed from time to time by the parties or in case of failure to agree shall be determined by arbitration as hereinafter provided.

Switch
engine crews.

35. Notwithstanding anything contained in these presents the Commission shall have the right at any time and from time to time during the continuance of this agreement, to grant to any other Railway Company or Companies any right of use or otherwise with respect to the joint section or any part or parts thereof. Provided always that the same shall not impair the facilities hereby agreed to be furnished to the Grand Trunk or prevent the Grand Trunk from enjoying the use of the joint section or from operating trains over the same and every part thereof as herein contemplated.

Commission
to have the
right to give
running
rights to
other
railways.

And provided further that no such right shall be granted to any other Company on more favourable terms than those hereby secured to the Grand Trunk. And it is agreed that in case the Commission shall grant any such right to any other Railway Company or Companies the Grand Trunk shall be entitled to the benefit of and credit for one-half of all rentals or other consideration in the nature of rentals received from any such other Railway Company or Companies for such rights and the proportion of working expenses payable by the Grand Trunk under paragraphs 12, 13 and 14 hereof, shall thereupon be reduced proportionately.

Revenue from
other
railways to
be
apportioned.

36. All receipts and revenues for facilities afforded or for services rendered to any party other than the parties hereto or to any other Railway Company or Companies as in the preceding paragraph provided upon or in connection with the joint section shall enure to the benefit of the parties hereto in equal shares. The statements to be rendered monthly by the Commission to the Grand Trunk under paragraph 12 hereof shall show in details such receipts and revenues and also any rentals or other consideration in the nature of rentals received from any other Railway Company.

Advertising.

37. Equal facilities shall be afforded upon the joint section to each of the parties for advertising their respective business and that of their connections.

Telegraph
business.

38. The Commission having heretofore entered into an agreement with the Canadian Pacific Telegraph Company in respect of commercial business, which agreement expires 1st August, 1915, it is agreed that in the meantime the Grand Trunk shall have the right to use the poles and cross arms of the Commission for stringing telegraph wires, not exceeding six in number, subject to the payment to the Commission therefor of a sum to be agreed upon by the parties hereto or in the event of their failure to agree to be determined by arbitration as hereinafter provided. Provided that such wires shall be used exclusively for the railroad business of the Grand Trunk and Grand Trunk Pacific and shall not be used directly or indirectly for commercial business. It is declared to be the intention of the parties to enter into a new contract with reference to telegraph service after the expiry of the present agreement of the Commission with the Canadian Pacific Telegraph Company, but failing the making of such new agreement it is declared that the right hereby reserved to the Grand Trunk to string its wires on the poles and cross arms of the Commission shall continue during the continuance of this agreement or until another agreement in the premises is entered into between the parties.

Wrecks.

39. In case of any wrecks of Grand Trunk trains, engines or cars on the joint section during the continuance of this agreement the necessary clearing of the track shall be done by the Commission through its wrecking crew and appli-

ances, and save where under the terms of these presents the Commission shall be bound to clear the loss incident to any such wreck, the actual cost thereof shall be payable by the Grand Trunk to the Commission.

40. All moneys other than the compensation aforesaid, payable by the Grand Trunk to the Commission hereunder, including proportion of freight and passenger earnings for local traffic of the Commission as hereinbefore described, the proportion of all working expenses payable by the Grand Trunk as aforesaid, the cost of all services and supplies as aforesaid for the use of telegraph poles and cross arms as aforesaid and the cost of clearing wrecks as aforesaid shall be payable by the Grand Trunk to the Commission at the office of the Commission in Toronto in gold or its equivalent as aforesaid monthly within sixty days after the delivery of statements thereof as aforesaid. The amount shown as payable by the statement so rendered shall be so paid leaving all mistakes, errors and omissions for subsequent adjustment. In reference to all payments to be made by the Grand Trunk to the Commission hereunder for compensation or otherwise time is declared to be of the essence of this agreement; and in case the Grand Trunk shall fail to make any payment or payments herein stipulated to be made when and where same shall become due and payable within sixty days after demand in writing requiring payment of the same shall have been made by the Commission to the Grand Trunk, then and in that case this agreement shall at the option of the Commission cease and be null and void, and the Commission may at once and without notice exclude and remove the trains, engines and other property of the Grand Trunk from the joint section and from every part thereof. Provided however that this clause shall not be construed as preventing either party from recovering from the other party any moneys payable by the one to the other under the terms hereof.

Payment to be made on statement as rendered subject to subsequent adjustment.

41. It is agreed that subject to the Grand Trunk procuring within three years from the date hereof the necessary legislation authorizing the same (to which legislation the Commission hereby assents) the grant of rights and privileges hereby made shall be for the term of twenty-five years (instead of twenty-one years) from the day on which the Grand Trunk begins to use the joint section, with the option to the Grand Trunk on its giving to the Commission not less than one year's notice in writing of its desire to secure the same, of the renewal of such rights and privileges for a further period of twenty-five years on the terms and conditions set out in these presents; Provided that the compensation in respect of such additional term of twenty-five years shall be such compensation as shall be agreed upon between the parties, or in case of their failure to agree,

Legislation to extend time to 25 years.

Option to Renewal for 25 years more.

as shall, be fixed by arbitration as hereinafter provided. And it is expressly agreed that such arbitration may take place at any time after the expiration of the first twenty-four years of the original term. In case such legislation shall be procured by the Grand Trunk within said period of three years from the date hereof this agreement shall thereupon be read and construed as if the said grant and privilege had been made for said period of twenty-five years instead of for the period of twenty-one years with the option for renewal for another period of twenty-five years as aforesaid.

Commission
covenants
for quiet
enjoyment.

42. The Commission hereby covenants with the Grand Trunk that the Grand Trunk making the payments herein agreed to be made and performing, observing and fulfilling the covenants and the terms and conditions herein contained and on the part of the Grand Trunk to be performed, observed and fulfilled, shall from time to time and at all times hereafter during the term of this agreement have and enjoy the joint use equally with the Commission of the joint section and of all the other rights and privileges therein and with respect thereto granted and provided for by this agreement according to the terms and conditions herein contained without interruption or interference by the Commission or any other party or parties whomsoever lawfully claiming under the Commission.

Mode of
giving
notices.

43. In case of any notice to be given to or by the Commission hereunder or in case of any demand to be made by or on behalf or upon the Commission hereunder the same except where any other mode shall be indicated by the context shall be deemed to have been duly given or received when given or received in writing by either the Chairman or Secretary of the Commission for the time being, and in case of any consent required to be given by the Commission the same shall unless otherwise required by the context be given by the Chairman for the time being of the Commission and shall for all purposes be binding upon the Commission; and in case of any notice to be given to or by the Grand Trunk hereunder or in case of any demand to be made by or on behalf of or upon the Grand Trunk hereunder, the same, except where any other mode may be indicated by the context, shall be deemed to have been duly given or received when given or received in writing by either the President or Senior Vice-President of the Grand Trunk for the time being, and in the case of any consent required to be given by the Grand Trunk the same shall, unless where otherwise required by the context, be given by the President or Senior Vice-President for the time being of the Grand Trunk and shall for all purposes be binding upon the Grand Trunk.

Matters not
provided for

44. Should it be found in practice that cases and events which may arise or happen have not been provided for in this

agreement or that any right or interest of either party has not been fully protected thereby in accordance with its object and intent, it is agreed that in any such case or event the parties will consult together with a view to negotiating with fairness and candour new or other clauses to meet the same and to do justice and equity between the parties in respect thereof.

45. Any difference that may at any time arise under this agreement or respecting the carrying out of the same according to its true intent and meaning shall if it cannot be amicably adjusted by the parties from time to time as the same may arise be by either party submitted to arbitration in the following manner: each of the parties hereto shall appoint as an arbitrator or referee a disinterested person skilled in railway matters, but should either party fail to appoint such arbitrator or referee within ten days after the receipt of written notice of the appointment by the other of its arbitrator or referee, then the arbitrator or referee first appointed may select another arbitrator or referee. The two so appointed shall select a third arbitrator or referee and their award or the award of the majority of them made after due notice to both parties of the time and place of hearing the matter referred and after affording full opportunity to the parties to be heard and to adduce evidence, shall be final and binding on both parties and they expressly agree to abide thereby. And it is further agreed that in case the two arbitrators or referees first appointed shall fail to appoint a third within ten days after the appointment of the one last appointed, then a third arbitrator or referee may be appointed by a Judge of the High Court of Justice for Ontario on the application of either party after ten days' notice to the other party. In case of the death or refusal to act of any arbitrator or referee or if for any cause the office of any arbitrator or referee becomes vacant, his successor shall be appointed in the same manner as is provided for the appointment in the first instance unless the parties otherwise agree.

Differences to be referred to arbitration.

46. Pending the settlement of the matter or matters submitted for arbitration each party shall continue to carry on its business in the regular manner and the standing of either party towards the other shall be in no way affected by the matter in controversy.

Pending settlement business proceeds.

47. This agreement is intended to supersede the agreement between the parties with reference to said portion (1) of the joint section, dated the twenty-seventh day of March A.D. 1909, and upon the due execution of these presents said

Agreement 27th March, 1909, cancelled.

said agreement of the twenty-seventh day of March, 1909, shall be deemed to be cancelled.

As witness the respective corporate seals of the said parties under the hands of their respective proper officers in that behalf.

THE GRAND TRUNK RAILWAY COMPANY
OF CANADA.

By CHARLES M. HAYS, [Seal]
President.

TEMISKAMING AND NORTHERN
ONTARIO RY. COM'N.

J. L. ENGLEHART, [Seal]
Chairman.

A. J. MCGEE,
Sec'y.-Treasurer.

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2 GEORGE V.

CHAP. 158.

An Act respecting the Trust and Loan Company of Canada.

[Assented to 12th March, 1912.]

WHEREAS the Trust and Loan Company of Canada has Preamble.
by its petition prayed that it be enacted as hereinafter 1910, c. 168.
set forth, and it is expedient to grant the prayer of the said
petition: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. Section 13 of chapter 168 of the statutes of 1910 is New s. 13.
hereby repealed and the following section is substituted
therefor:—

“13. The authorized capital stock of the Company Capital stock.
shall be five million pounds sterling divided into two
hundred and fifty thousand shares of twenty pounds
sterling each.”

2. Nothing in this Act contained shall be construed as Savings clause as to powers of directors.
limiting or otherwise affecting any of the powers conferred
on the directors by section 10 of the said chapter 168.

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most Excellent Majesty.



2 GEORGE V.

CHAP. 159.

An Act respecting the Union Bank of Canada.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
(Prov. of Can.) 1865 c. 75;
Can., 1869, c. 55;
1886, c. 58;
1898, c. 118.

1. Section 16 of chapter 75 of the statutes of the province of Canada of 1865 is amended by striking out the word "Quebec" in the second line thereof, and substituting therefor the word "Winnipeg": Provided that such change of the head office of the Union Bank of Canada from the city of Quebec to the city of Winnipeg shall not take effect until a date to be fixed by a resolution to be passed by the board of directors of the said Bank, and published in *The Canada Gazette*.

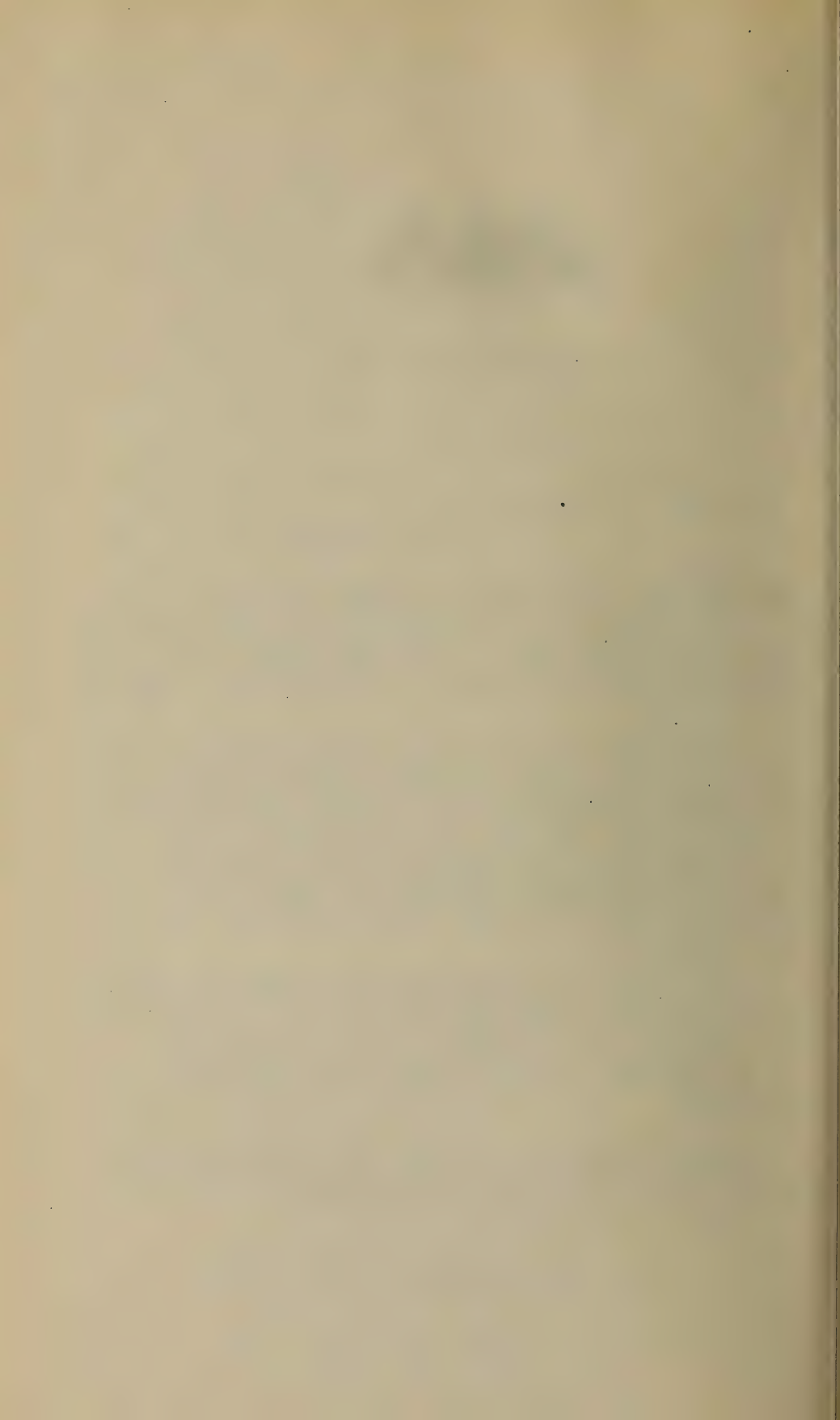
1865, c. 75 amended.
Head office.
Proviso.

2. The directors, instead of electing one of their number to be vice-president, as provided by section 24 of *The Bank Act*, may elect, by ballot, two of their number to be vice-presidents, each of whom shall be a vice-president of the Bank for all purposes within the meaning of *The Bank Act*.

Vice-presidents.

3. Except as provided by section 4 of *The Bank Act*, and by section 2 of this Act, *The Bank Act* shall form and be the charter of the Union Bank of Canada.

Charter of bank.
R.S., c. 29.





2 GEORGE V.

CHAP. 160.

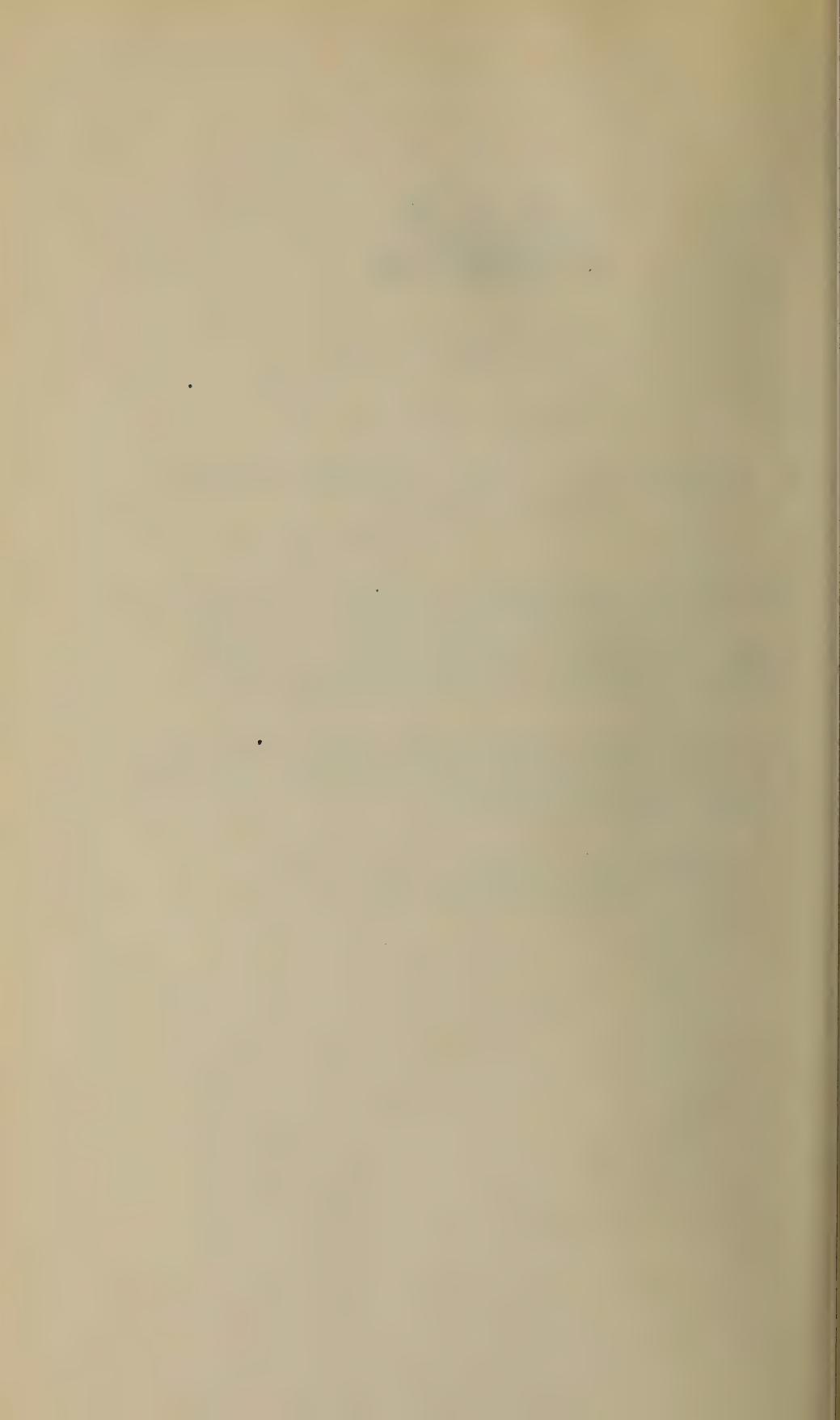
An Act respecting the United Gold Fields of British Columbia (Limited).

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:— 1902, c. 110.

1. Section 1 of chapter 110 of the statutes of 1902 is S. 1
amended by striking out the words "range four," in the amended.
sixth and seventh lines thereof, and substituting therefor Line of
the words "ranges three and four." railway.

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2 GEORGE V.

CHAP. 161.

An Act to incorporate the Universal Eyesight Insurance Company.

[Assented to 1st April, 1912.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set
forth, and it is expedient to grant the prayer of the said
petition: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. Albert Cleland, gentleman, Samuel Johnson McCop- Incorporation.
pen, undertaker, William Robert Hartley, merchant,
Emmer V. Enoch, insurance broker, and Francis John
Folinsbee, M.D., physician, all of the city of Edmonton
in the province of Alberta, together with such persons as
become shareholders in the company, are hereby incorporat-
ed under the name of "The Universal Eyesight Insurance Corporate
Company," hereinafter called "the Company." name.

2. The persons named in section 1 of this Act shall be Provisional
the provisional directors of the Company. directors.

3. The capital stock of the Company shall be two hundred Capital
and fifty thousand dollars. stock.

4. The amount to be subscribed before the general Subscription
meeting for the election of directors is called shall be one before
hundred and fifty thousand dollars. general
meeting.

5. The Company shall not commence business until two Commence-
hundred thousand dollars of the capital stock have been ment of
subscribed business.

subscribed and one hundred thousand dollars have been paid thereon.

Head office. **6.** The head office of the Company shall be in the city of Edmonton in the province of Alberta.

Business which may be carried on. **7.** The Company may make contracts of insurance with any person in so far as eyes and eyesight are concerned, and may provide for indemnity in case of loss of sight or injury to eyes by any cause whatsoever.

Reserve liability. **8.** The provisions of *The Insurance Act, 1910*, regarding the calculation of reserve liability, shall not be applicable to the Company.

How reserve liability is to be estimated. **9.** In the annual statements which the Company is required to furnish to the Superintendent of Insurance under the said Act, the Company shall be chargeable as a liability in respect of its policies outstanding and unmatured at the date of such statements, with such sum as the said Superintendent finds to be necessary, estimated or calculated upon the basis of the best available statistics applicable to the business carried on by the Company, due regard being had in such calculation to the provisions of the said policies.

Forms of policies. **10.** No policy shall be issued by the Company until the form thereof including the application therefor has been approved by the Superintendent of Insurance.

Application of 1910, c. 32. **11.** Except as otherwise provided by this Act, the Company shall have all the powers, privileges and immunities and shall be subject to all the liabilities and provisions in *The Insurance Act, 1910*, so far as they may be applicable to the Company.

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2 GEORGE V.

CHAP. 162.

An Act respecting the Vancouver, Fraser Valley and Southern Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it Preamble.
be enacted as hereinafter set forth, and it is expedient
to grant the prayer of the said petition: Therefore His 1906, c. 175;
Majesty, by and with the advice and consent of the Senate 1909, c. 145.
and House of Commons of Canada, enacts as follows:—

1. The Vancouver, Fraser Valley and Southern Railway Extension of
time for
construction.
Company, hereinafter called “the Company,” may, within
two years after the passing of this Act, commence to con-
struct, and, within five years after the passing of this Act,
complete and put in operation, the following lines of railway
which it was authorized to construct by section 8 of chapter
175 of the statutes of 1906, namely:—

- (a) from a point in or near the city of New Westminster
in a southerly direction to a point on the international
boundary line at or near the town of Douglas;
- (b) from a point south of and near the Fraser river at or
near the New Westminster bridge in an easterly
direction up the Fraser Valley to a point at or near
the town of Chilliwack;
- (c) from a point south of and near the Fraser river in a
westerly direction to a point at or near the town of
Ladner’s Landing on the Fraser river in the municipality
of Delta.

2. If, within the said periods, respectively, any one of
the said lines is not commenced or is not completed and put
in operation, the powers of construction conferred upon the
Company by Parliament shall cease and be null and void as
respects so much of that line as then remains uncompleted.

Time limit
repealed.

2. Chapter 145 of the statutes of 1909 is hereby repealed.

Agreements
with other
companies.

3. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may, for any of the purposes specified in the said section 361, enter into agreements with the Vancouver Power Company, Limited, and the British Columbia Electric Railway Company, Limited, or either of them.

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2 GEORGE V.

CHAP. 163.

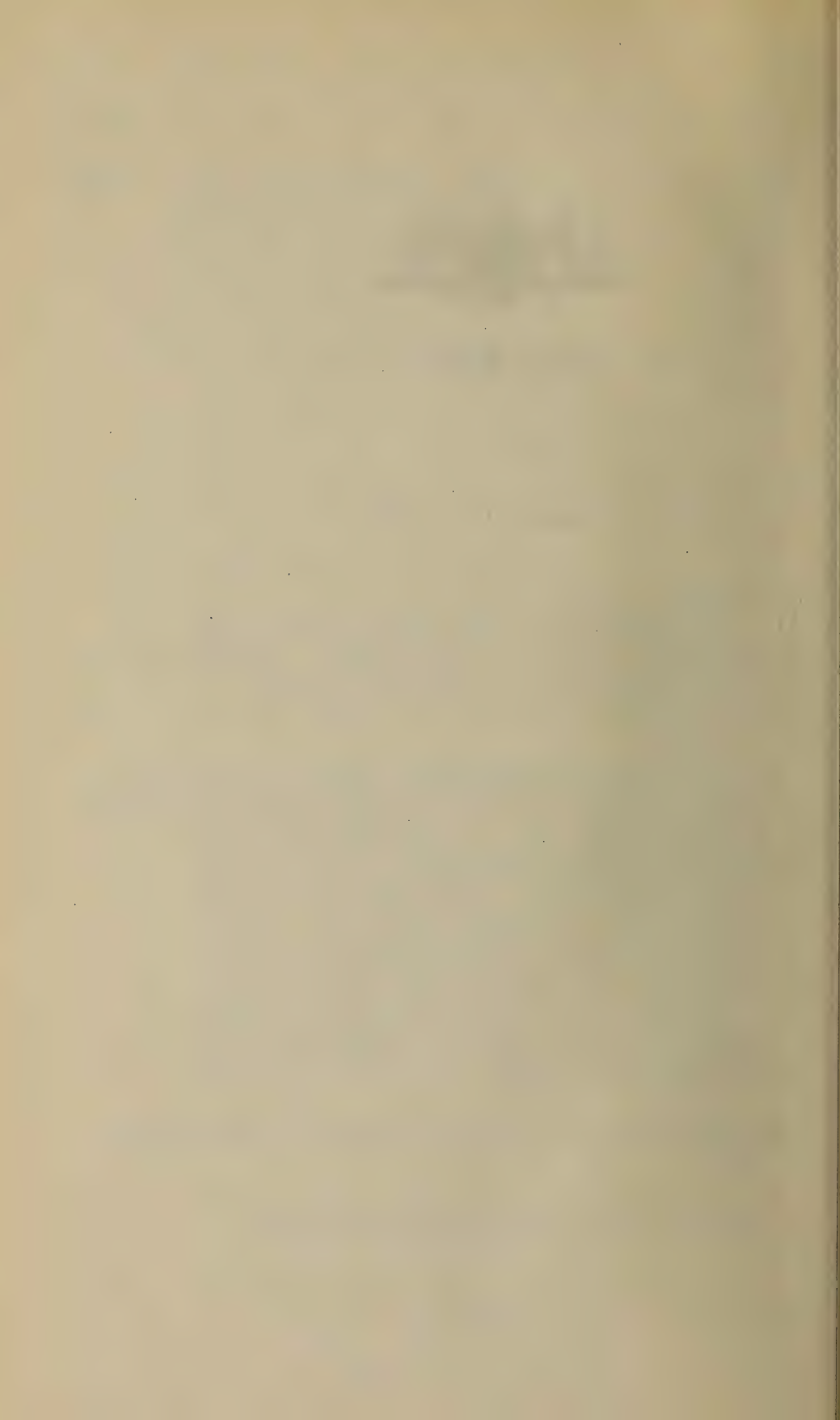
An Act respecting the Vancouver Island and Eastern Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore 1908, c. 167;
1910, c. 171.
His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Vancouver Island and Eastern Railway Company may commence the construction of its railways, authorized by chapter 167 of the statutes of 1908, and by chapter 171 of the statutes of 1910, and may expend fifteen per cent of the amount of its capital stock thereon, within two years after the passing of this Act, and the said railways may be completed and put into operation within five years after the passing of this Act; and if the said railways are not so commenced, and such expenditure is not so made, or if the said railways are not so completed and put into operation within the said respective periods, the powers of construction granted to the said Company by Parliament shall cease and be null and void as respects so much of the said railways as then remains uncompleted. Time for construction of railways extended.

2. Section 2 of chapter 171 of the statutes of 1910 is Time limit repealed.
repealed.





2 GEORGE V.

CHAP. 164.

An Act to incorporate the Vancouver Life Insurance Company of Vancouver, B.C.

[Assented to 12th March, 1912.]

WHEREAS the persons hereinafter named have by their Preamble.
petition prayed that it be enacted as hereinafter set
forth, and it is expedient to grant the prayer of the said
petition: Therefore His Majesty, by and with the advice
and consent of the Senate and House of Commons of Canada,
enacts as follows:—

1. Cory Spencer Ryder, real estate agent, Milton Madison Harrell, lumber dealer, William Rattray Gillespie, hotel manager, Jay Carroll McGrath, timber merchant, and Newell Van Sickle, insurance agent, all of the city of Vancouver, in the province of British Columbia, together with such persons as become shareholders in the company, are incorporated under the name of "The Vancouver Life Insurance Company of Vancouver, B. C.," hereinafter called Incorporation.
Corporate name.
"the Company."

2. The persons named in section 1 of this Act shall be the Provisional directors.
provisional directors of the Company.

3. The capital stock of the Company shall be one million Capital stock.
dollars.

4. The amount to be subscribed before the general Subscription before general meeting.
meeting for the election of directors is called shall be five
hundred thousand dollars.

5. The Company shall not commence business until Subscription before com-
seven hundred and fifty thousand dollars of the capital
stock

mencing
business. stock have been subscribed, and one hundred thousand dollars paid thereon.

Head office. **6.** The head office of the Company shall be in the city of Vancouver, in the province of British Columbia.

Business
authorized. **7.** The Company may make contracts of life insurance with any person and may grant, sell or purchase life annuities and endowments depending upon the contingency of human life, and, generally, may carry on the business of life insurance in all its branches and forms.

1910, c. 32. **8.** *The Insurance Act, 1910*, shall apply to the Company.

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2 GEORGE V.

CHAP. 165.

An Act respecting patents of Thomas Wadge.

[Assented to 12th March, 1912.]

WHEREAS Thomas Wadge of the city of Winnipeg, Preamble.
in the province of Manitoba, manufacturer, has by his petition represented that he is the beneficial owner of patents numbers seventy-three thousand seven hundred and eighty-nine and seventy-three thousand seven hundred and ninety, issued under the seal of the Patent Office, for improvement in grain separators and the like, and has prayed that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. Notwithstanding anything in *The Patent Act*, or in the patents mentioned in the preamble, the Commissioner of Patents may receive from the said Thomas Wadge an application for a certificate of payment of further fees and the usual fees for the remainder of the term of eighteen years from the date thereof, and may grant and issue to the said Thomas Wadge certificates of payment of further fees as provided for by *The Patent Act*, and extensions of the term of duration of the said patents, to the full term of eighteen years, in as full and ample a manner as if the application therefor had been duly made within six years from the date of the issue of the said patents.

Extension of time for payment of fees.
R.S., c. 69, s. 23.
Extension of duration of patents.

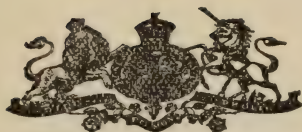
2. If any person, other than a licensee or person authorized in writing by the said Thomas Wadge, has, in the period between the nineteenth day of November, nineteen hundred and seven, and the date of the passing of this Act, commenced to manufacture, use or sell, in Canada, any

Saving of rights acquired.

Proviso.

of the inventions covered by the said patents or either of them, such person may continue to manufacture, use or sell in Canada such invention in as full and ample a manner as if this Act had not been passed: Provided that this exemption shall not extend to any person, who, without the consent of the holder of the said patents, has commenced the use, construction or manufacture of such invention before the expiry of the said patents.

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most Excellent Majesty.



2 GEORGE V.

CHAP. 166.

An Act for the relief of Edna Wells.

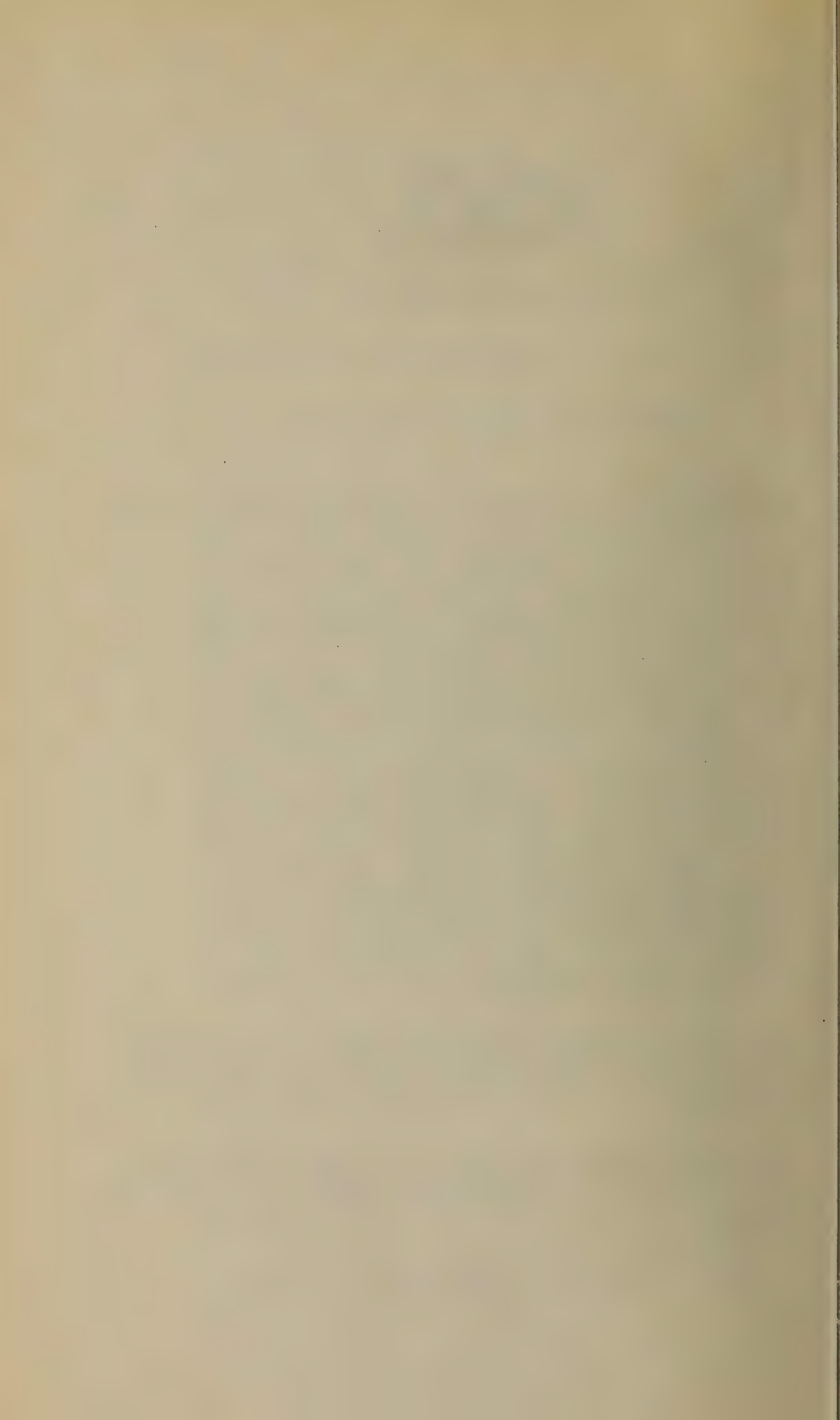
[Assented to 12th March, 1912.]

WHEREAS Edna Wells, presently residing at the city of Preamble.

London, in the province of Ontario, wife of William Edwin Wells, formerly of the said city of London, has by her petition alleged, in effect, that they were lawfully married on the eleventh day of August, 1904, at the said city of London, she then being Edna Gauld, spinster; that the legal domicile of the said William Edwin Wells was then and is now in Canada; that at the city of London, in the province of Ontario, on divers occasions during the year 1910, and more particularly in the month of December, 1910, he committed adultery with one Gladys Pinch; that she has not connived at nor condoned the said adultery; that there has been no collusion directly or indirectly, between him and her in the proceedings for divorce; and whereas by her petition she has prayed for the passing of an Act dissolving her said marriage, authorizing her to marry again, and affording her such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of her petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Edna Gauld and William Edwin Wells, her husband, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said Edna Gauld may at any time hereafter marry any man whom she might lawfully marry if the said marriage with the said William Edwin Wells had not been solemnized. Right to marry again.





2 GEORGE V.

CHAP. 167.

An Act respecting the West Ontario Pacific Railway Company.

[Assented to 12th March, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble.
1885, c. 87;
1886, c. 70;
1887, c. 62;
1888, c. 53;
1906, c. 178;
1908, c. 169;
1910, c. 176.

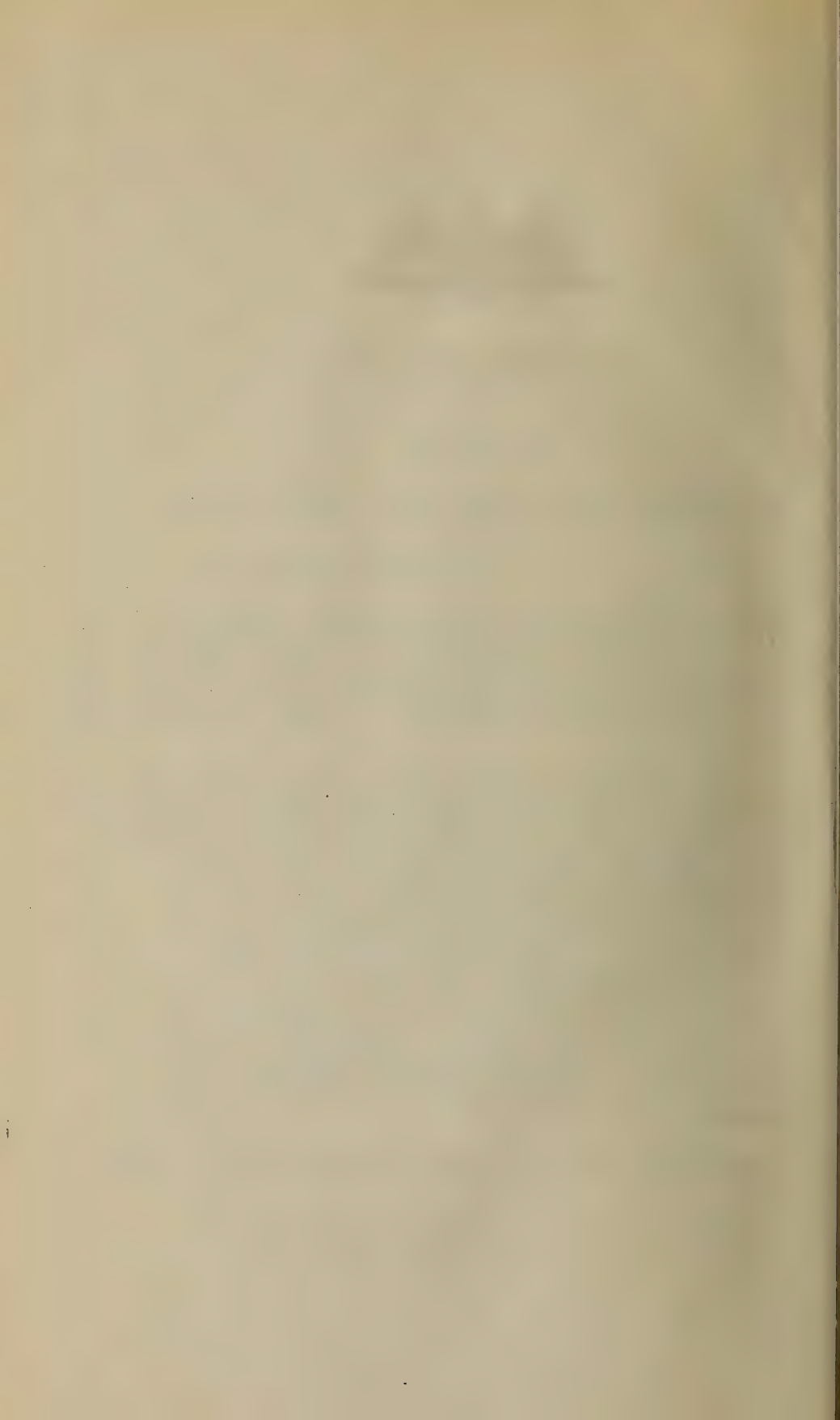
1. The West Ontario Pacific Railway Company may commence the construction of the branch line of railway authorized by section 1 of chapter 178 of the statutes of 1906 within two years after the passing of this Act, and shall, within the said two years, expend thereon (including expenditure already made) an amount equal to fifteen per cent of its capital stock; and may complete the said line of railway and put it in operation within five years after the passing of this Act; and if, within the said periods respectively, the said line of railway is not so commenced and such expenditure is not so made, or is not so completed and put in operation, the powers of construction conferred upon the said company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for construction of branch line extended.

2. Chapter 176 of the statutes of 1910 is repealed.

Repeal.

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2 GEORGE V.

CHAP. 168.

An Act to incorporate the Western Dominion Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that Preamble.
it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. John E. Askwith, J. Ogle Carss, William R. Askwith Incorporation.
and Oliver E. Culbert, all of the city of Ottawa in the province of Ontario, and Herbert McIntyre McCallum, of the city of Regina in the province of Saskatchewan, together with such persons as become shareholders in the company, are hereby incorporated under the name of "The Western Corporate
Dominion Railway Company," hereinafter called "the name.
Company."

2. The persons named in section 1 of this Act are hereby Provisional
constituted provisional directors of the Company. directors.

3. The capital stock of the Company shall be five Capital
million dollars. No one call thereon shall exceed ten per stock.
cent on the shares subscribed.

4. The Company, if previously authorized by a resolution passed by the ordinary shareholders at any annual meeting, or at any special general meeting duly called for that purpose, at which meeting shareholders representing at least three-fourths in value of the subscribed ordinary stock of the Company are present or represented by proxy, Issue of preference stock.
355 may

Priority. may issue any portion of its capital stock as preference stock; and preference stock so issued shall have such preference and priority, as respects dividends or otherwise, over ordinary stock as is declared by the resolution.

Status of holders. 2. Holders of such preference stock shall be deemed to be shareholders within the meaning of this Act and of *The Railway Act*, and shall, in all respects other than the preference or priority provided for by this section possess the rights and be subject to the liabilities of such shareholders.

Head office. 5. The head office of the Company shall be in the city of Ottawa in the province of Ontario.

Annual meeting. 6. The annual meeting of the shareholders shall be held on the first Tuesday in September.

Number of directors. 7. The number of directors shall be not less than five, nor more than nine, one or more of whom may be paid directors.

Line of railway described. 8. The Company may lay out, construct and operate a railway, of the gauge of four feet eight and one-half inches, from a point on the International boundary in range twenty-three west of the fourth meridian in the province of Alberta, thence northwesterly to the town of Cardston, thence northwesterly, via the town of Pincher Creek, to a point on the Crow's Nest branch of the Canadian Pacific Railway at or near Lundbreck, thence northerly and west of the Porcupine Hills to the city of Calgary, thence northerly and west of Snake Lake, Gull Lake and Pigeon Lake to the city of Edmonton, thence in a generally northwesterly direction to Fort St. John in the province of British Columbia; with a branch line from a point on the said main line west of the town of Pincher Creek, in township six, range one, west of the fifth meridian, in a generally southwesterly direction and along the south fork of the Old Man River to the boundary of the province of British Columbia.

Consent of municipalities. 9. The Company shall not construct or operate its railway along any highway, street or other public place without first obtaining the consent, expressed by by-law, of the municipality having jurisdiction over the said highway, street or other public place, and upon terms to be agreed upon with such municipality.

Issue of securities. 10. The securities issued by the Company shall not exceed fifty thousand dollars per mile of the railway, and may be issued only in proportion to the length of railway constructed or under contract to be constructed.

11. The Company may, subject to the provisions of *The Railway Act*, construct and operate telegraph and telephone lines upon its railway, and establish offices for and undertake the transmission of messages for the public, and collect tolls therefor, and for the purposes of operating such lines, or exchanging or transmitting messages, may, subject to the provisions of the said Act, enter into contracts with any companies having telegraph or telephone powers, and may connect its own lines with the lines of, or may lease its own lines to, any such companies.

Telegraphs
and tele-
phones.

R.S., c. 37.

2. No toll or charge shall be demanded or taken for the transmission of any messages or for leasing or using the telegraphs or telephones of the Company, until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such tolls and charges.

Tolls and
charges.

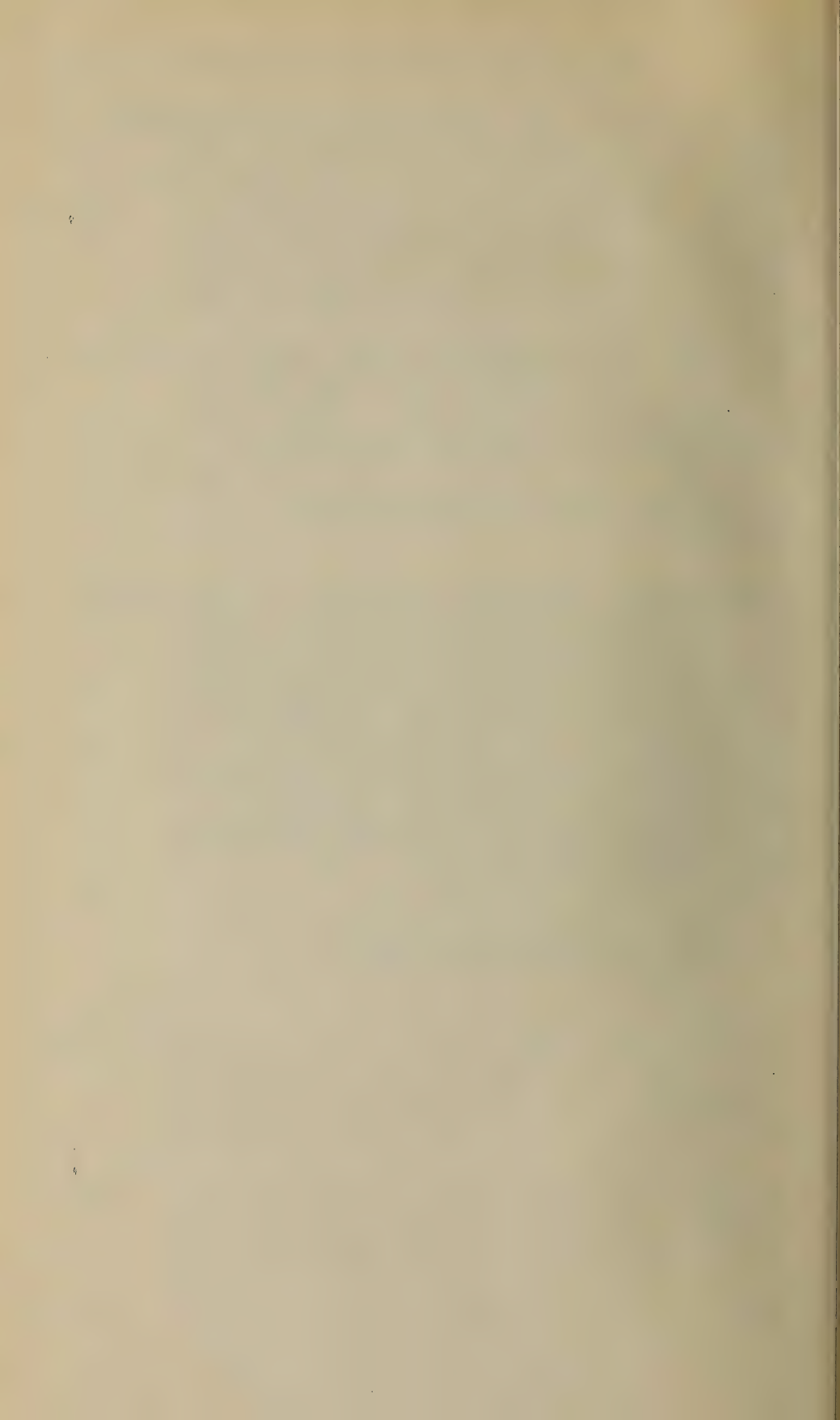
3. Part II. of *The Telegraphs Act*, except such portions thereof as are inconsistent with this Act or with *The Railway Act*, shall apply to the telegraphic business of the Company.

R.S., c. 126.

12. Subject to the provisions of sections 361, 362 and 363 of *The Railway Act*, the Company may enter into agreements with all or any of the companies hereinafter named for any of the purposes specified in the said section 361, such companies being the Alberta Pacific Railway Company, the Canadian Pacific Railway Company, the Grand Trunk Pacific Railway Company, the Canadian Northern Railway Company, the Great Northern Railway Company, the Southern Central Pacific Railway Company, the Kootenay and Alberta Railway Company, the Canadian Western Railway Company, the Alberta Peace River and Eastern Railway Company and the Pacific, Trans-Canada and Hudson Bay Railway Company.

Agreements
with other
companies.

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2 GEORGE V.

CHAP. 169.

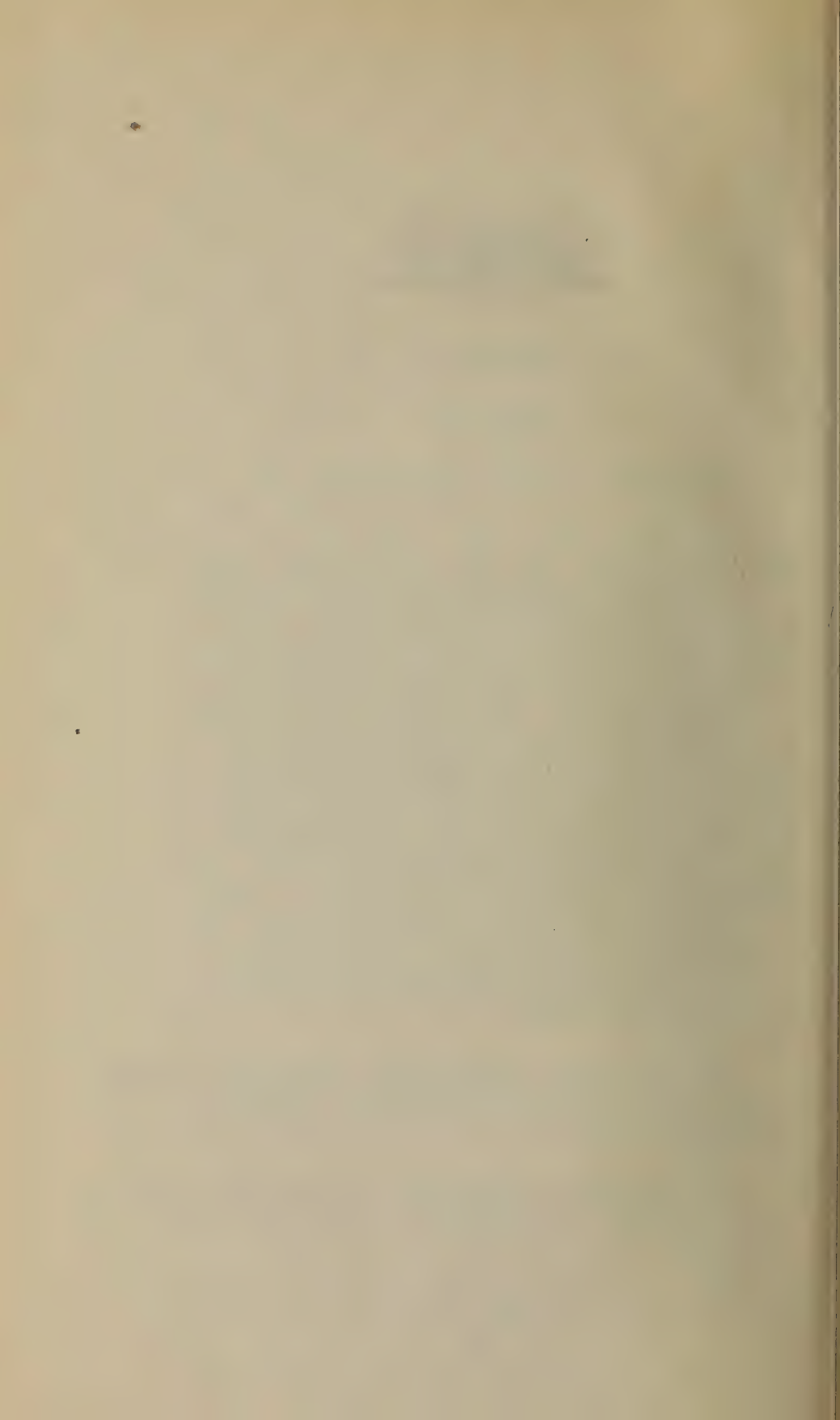
An Act for the relief of Henry Greek Wills.

[Assented to 1st April, 1912.]

WHEREAS Henry Greek Wills, of the city of Montreal, Preamble
in the province of Quebec, has by his petition alleged, in effect, that on the twenty-first day of October, A.D. 1901, at the city of Chicago, in the state of Illinois, one of the United States of America, he was lawfully married to Marion Frances Grant; that she was then of the said city of Chicago, a spinster; that his legal domicile was then and is now in Canada; that at the said city of Chicago, on or about the tenth day of September, A.D. 1911, she committed adultery with a certain man whose name is unknown; that he has not connived at nor condoned the said adultery; that there has been no collusion, directly or indirectly, between him and her in the proceedings for divorce; and whereas by his petition he has prayed for the passing of an Act dissolving his said marriage, authorizing him to marry again, and affording him such other relief as is deemed meet; and whereas the said allegations have been proved, and it is expedient that the prayer of his petition be granted: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The said marriage between Henry Greek Wills and Marion Frances Grant, his wife, is hereby dissolved, and shall be henceforth null and void to all intents and purposes whatsoever. Marriage dissolved.

2. The said Henry Greek Wills may at any time hereafter marry any woman he might lawfully marry if the said marriage with the said Marion Frances Grant had not been solemnized. Right to marry again.





2 GEORGE V.

CHAP. 170.

An Act respecting the Windsor, Chatham and London Railway Company.

[Assented to 1st April, 1912.]

WHEREAS a petition has been presented praying that it be enacted as hereinafter set forth, and it is expedient to grant the prayer of the said petition: Therefore His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

Preamble,
1906, c. 183;
1908, c. 171.

1. The Windsor, Chatham and London Railway Company, hereinafter called "the Company," may commence the construction of its railway, and expend fifteen per cent of the capital stock thereon, within two years after the passing of this Act, and may complete the said railway and put it in operation within five years after the passing of this Act; and if the said railway is not so commenced and such expenditure be not so made, or if the said railway is not so completed and put in operation, within the said respective periods, the powers of construction conferred upon the Company by Parliament shall cease and be null and void as respects so much of the said railway as then remains uncompleted.

Time for
construction
of railway
extended.

2. The limit to the amount of the securities which the Company may issue and secure under sections 136 to 146, both inclusive, of *The Railway Act*, with respect to the lines of railway which the Company has been authorized to construct, shall be twenty-five thousand dollars per mile of single track, and such securities may be issued only in proportion to the length of such lines of railway constructed or under contract to be constructed.

Issue of
securities
for purposes
of railway.

Issue of securities on bridge, terminals and ferries to be limited by expenditure.

3. The Company may also issue securities to the extent of seventy-five per cent of its actual expenditure upon or in respect of any bridge, including the approaches thereto, across the river Thames, terminals and station buildings and grounds in or adjacent to the city of Windsor and the city of London, and ferries for operating on the Detroit river, including wharf accommodation at or near Windsor and the approaches thereto.

Rates and charges.

2. No rate or charge for the use of the works referred to in this section shall be demanded or taken until it has been approved of by the Board of Railway Commissioners for Canada, which may also revise such rates and charges.

Repeal. Securities.

4. Section 14 of chapter 183 of the statutes of 1906 is repealed.

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